

**METROPOLITAN MANAGEMENT AND PLANNING IN SOUTH  
AFRICA**

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An assignment submitted in partial fulfilment of the requirements for the degree of  
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## DECLARATION

I, the undersigned hereby declare that the work contained in this assignment is my own original work, and has not previously, in its entirety or in part, been submitted at any university for a degree.

**SIGNATURE**

**DATE**..... 10 . 02 . 2000 .....

## SUMMARY

The importance of and the need for metropolitan planning and government structures in the development of cities have become evident over the last century. Internationally, the approach to metro governance has evolved from informal metro management structures into, for example the more formalised two-tier or single tier systems of London and Toronto. The recent changes in these systems indicate that there is not one system that is universally accepted as the best.

South Africa has not escaped the metropolitan development process and the resulting problems that went hand in hand with this. The first form of metropolitan planning in South Africa occurred in 1940, with the inception of the Joint Planning Committees. Later, in 1986 the institution of Regional Services Councils served as the first form of metropolitan governance. In 1995 the first democratic Local Government elections hailed the entry into democratic metropolitan government structures. With the proclamation of six new metropolitan areas South African metropolitan governments adopted the two-tier metropolitan system.

Since 1995 South African local government structures have undergone major transformations. Proponents of the current two-tier system failed to anticipate the pressures of Central Government for change to the one tier, megacity or unicity model. Critics of the government's plans argued strongly for the retention of the current two-tier model and for minimal organisational change. The disruption that yet another transformation will cause, is one of the main objections.

In the Cape Town and Durban Metropolitan Areas the consensus seems to be that the present two-tier system is working well and that it should be retained. In the case of Johannesburg Metropolitan Area many problems were encountered, especially the inability to redistribute local government income. The consensus there is that a unicity model will work better.

Whether the unicity model is the answer to urban sustainability for all metropolitan areas of South Africa, is still a disputed fact.

## OPSOMMING

Die belangrikheid van en die behoefte aan metropolitaanse beplannings- en regeringstrukture in die ontwikkeling van stede het oor die afgelope eeu baie ooglopend geword. Die benaderings tot metropolitaanse bestuur in internasionale kringe het beweeg van die meer informele metropolitaanse bestuurstrukture na die meer formele een- of tweevlak stelsels van byvoorbeeld Londen Of Toronto. Die onlangse veranderinge in hierdie stelsels is 'n bewys dat daar nie een stelsel beataan wat universeel as die beste aanvaar word nie.

Suid Afrika het nie die proses van metropolitaanse ontwikkeling en die gepaardgaande probleme daarvan vrygespring nie. Die eerste vorm van metropolitaanse beplanning in Suid Afrika was die instelling van die Gesamentlike Beplanningskomitees in 1940. Later in 1986 met die totstandkoming van streekdiensterade was daar vir die eerste keer sprake van 'n vorm van metropolitaanse regering. Met die eerste demokratiese verkiesing van plaaslike regeringsisteme in 1995 is ses tweevlak metropolitaanse egerings in suid Afrika ingestel.

Sedert 1995 het plaaslike owerhede in Suid Afrika grootskaalse veranderinge ondergaan. Voorstanders van die huidige tweevlak stelsel het nie daarin geslaag om die druk van Nasionale Regering om te verander na 'n eenvlak, unistad of megastad sisteem, af te weer nie. Kritici van die regering se planne het hewige argumente aangebied vir die behoud van die huidige sisteem asook vir minimale organisatoriese veranderinge. Die hoof beswaar was die grootskaalse ontwrigting wat nog 'n transformasie proses sou meebring.

In die Kaapse en Durbanse Metropolitaanse Gebiede is daar konsensus oor die werkbaarheid van die tweevlak stelsel en ook dat dit behoue moet bly. Johannesburg Metropolitaanse Area daarenteen het etlike probleme ondervind, veral met die verdeling van munisipale inkomste. Daar is konsensus dat 'n unistad model waarskynlik beter sal werk.

Of die unistad model die antwoord is op stedelike volhoubaarheid in alle metropolitaanse gebiede in Suid Afrika, is steeds 'n debatteerbare punt.

**Dedicated to the memory of my grandfather, Sybrandt Fritz, for all your love and support throughout the years and for teaching me life's greatest lessons.**

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## CHAPTER 1

### INTRODUCTION

#### 1.1 PROBLEM FORMULATION

As towns and cities grow, they often, in more densely populated urbanised areas, grow into the physical space, or footprint, of each other. This creates the need for cooperation between cities to address communal problems such as water supply, treatment of effluent, transportation, and planning future spatial growth.

The problems of large urbanised areas have been under scrutiny for many decades, both from a management and from a spatial planning point of view. For the spatial problems many solutions have been offered, such as the green belts cum new towns of Britain (ca 1948), Doxiadis' 1967 static and dynamic sectors of the megalopolis (Claassen, 1975: 13), Copenhagen's five finger plan (1944) and later (1971) A-zones plan (Claassen, 1975: 40), and Greater Cape Town Spatial Development Framework (1996), to name but a few.

As far as management systems are concerned, developments over the last half-century followed an evolutionary rather than a revolutionary path. That is new systems grew out of older systems rather than through groundbreaking new solutions being proposed. Perhaps it is for that reason that there is a wide and divergent array of management systems in place today in metropolitan areas of the world. These systems vary from the centralised systems (one-city, megacity or unicity) recently adopted in Toronto, Canada, to two tier system such as that to be introduced in London in 2000, to systems that only provide for coordination such as the councils of government prevalent in the United States of America, to no metropolitan systems at all, such as in Sydney, Australia. Metropolitan-wide services can also be provided by other means, such as utility companies, a provincial government, or one local government providing services to others in the vicinity.

To make matters more confusing, systems that were looked upon as good models were sometimes radically changed or even abandoned. The Greater London Council

was abandoned in 1986, and Toronto recently changed its well-known two-tier system to a megacity model.

South Africa did not escape this indecision on an ideal model for metropolitan management and planning. The first efforts were introduced in 1940 with the Joint Municipal Town Planning Committee of the Cape. Several overlapping systems were introduced in the Apartheid years, such as guide plan committees, regional development advisory committees and regional services councils. In 1995, with the first democratic local government elections, six two-tier metropolitan governments were introduced, one each in the Cape Town and Durban areas, and four in Gauteng. These systems were open-ended in that the Local Government Transition Act (209 of 1993) left the division of powers and functions between the two tiers open. This led to heated debates between political parties as well as amongst planners. The African National Congress favoured a centralised approach with most power going to the metropolitan government, whereas the New National Party favoured a system where most power stays with the constituent municipalities and the metropolitan government taking responsibility only for the clearly “metropolitan” functions such as bulk water supply and overall spatial planning.

Since that debate the government has now decided that it is going to introduce the unicity model in all six metropolitan areas in South Africa with the second round of democratic local government elections in 2000. In this model local constituent government will disappear, but to retain some contact at the local level, various models for constituency based organisations are proposed.

## **1.2 AIMS**

The purpose of this study is to determine how metropolitan government, and thus metropolitan planning, are evolving in South Africa and how these systems can promote more sustainable urban environments through successful metropolitan organisation. The goals of this study are:

- ◆ To briefly analyse the evolution of metropolitan planning systems in South Africa,

- ◆ To identify the shortcomings of the past and present systems, within the context of the Constitution and in the light of future urban development, and
- ◆ To identify possible new strategies for metro planning in South Africa – as derived from international metropolitan organisations – and present legislation for South Africa’s local governments.
- ◆ To investigate possible means for local input in the megacity model.

### 1.3 METHOD

The distinctive features of the modern metropolis are discussed and serve as a theoretical basis for later discussions on metropolitan issues. An overview of the history of South African metropolitan planning is given to place recent local government reform in perspective. This is followed by a discussion on international perspectives where two of the more famous approaches to metro governance are highlighted.

The status of metropolitan governance and planning in the different metropolitan areas of South Africa are scrutinized and compared. This is the empirical basis of the study and is based on personal interviews and questioning sessions with the following groups:

- a) Policy makers who will decide on the system eventually introduced, e.g. politicians, relevant ministers and their advisors (see list of interviewees in Annexure 1).
- b) Officials in metropolitan governments.
- c) Officials in municipalities within metropolitan areas.
- d) Scholars in local government studies.

## CHAPTER 2

# THEORETICAL PERSPECTIVES: FUNCTIONAL METROPOLIS AND SYSTEMS OF GOVERNMENT

### 2.1 INTRODUCTION

The city has been the primary medium through which the generation and development of civilisation has occurred. This historical primacy of the city has many aspects. Firstly, the city has played a major part in the spreading of technical knowledge, art, music and religion. Secondly, cities have provided the mix and concentration of ingredients necessary for major innovation, for the growth of trade and industrial technology and to a certain extent for the development of agricultural techniques. Cities have provided the banking and financial basis for the growth of national economies and international exchange. They have provided the means of matching the economic demands of national economies to the supply of skilled labor and have been the market places for the products of industry and agriculture (Van der Cammen, 1988: 1).

Amidst this overconcentration of services in city centres, it was inevitable that people would continuously flock to cities to assuage their economic, social and cultural needs. Cities have had to contend with satisfying the growing demands of the urban population on the one hand and maintaining sustainable growth on the other. Finding a balance between continued development and some form of conservation of resources has proven to be a major challenge for city managers of these urban centres. These challenges, according to Bernstein (1992: 76), come together more forcibly in metropolitan areas.

The dynamic nature of the metropolis and its underlying functional systems is the focal point of this chapter. A theoretical analysis of these systems is necessary since there is much confusion about the true meaning of concepts associated with the metropolitan structure. The purpose of this exercise is not to propose definitive explanations of the concepts, but to lay a firm theoretical groundwork for later

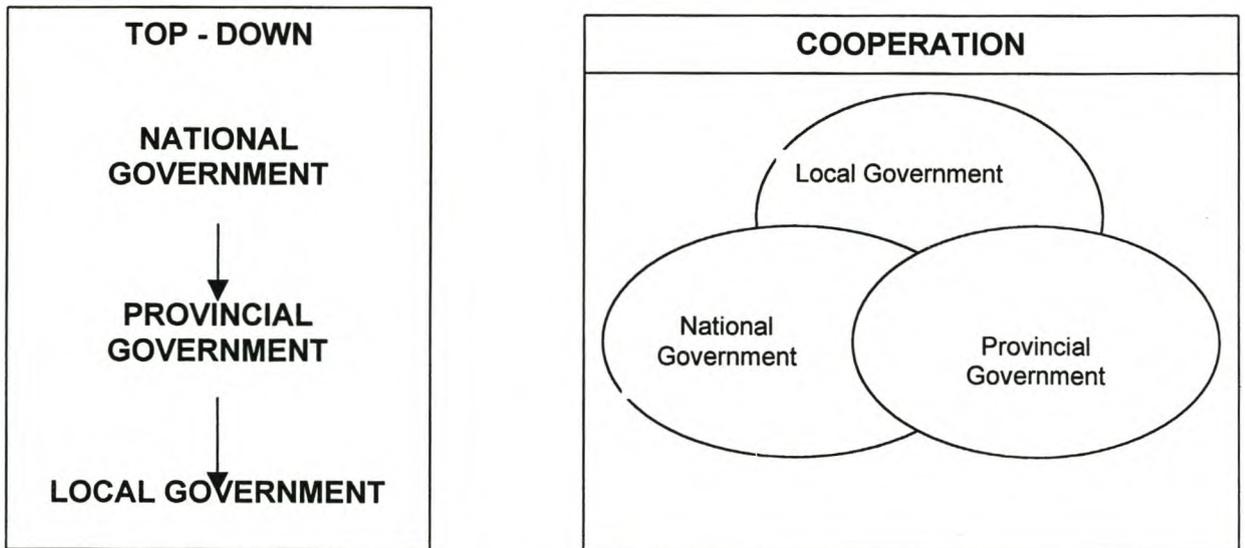
discussions and to comprehend the distinctive nature of the problems confronting the contemporary metropolis, and more importantly, the possible solutions to metropolitan problems.

## 2.2 LOCAL GOVERNMENT STRUCTURES

### 2.2.1 Constitutional framework

South Africa has had a three-tier system of governance since 1910 (through the South African Act no. 132 of 1909). More recently though, this system was redefined by the Constitution of the Republic of South Africa, Act no. 108 of 1996. The three spheres of government, namely national, provincial and local government are mandated to work together in a spirit of cooperation and support. While the previous system was characterised by a top-down approach, the present system features a cooperative approach wherein the former “levels” of government are now being referred to as “spheres” of government.

**FIGURE 2.1: OLD VS NEW SYSTEMS OF GOVERNANCE**



Source: Discussion Document on the White Paper on Local Government in South Africa, 1998 (RSA, 1998B Section C: 11)

This principle of cooperative governance depicts the relationship between the three spheres of government, which is described as “distinctive, interdependent and interrelated.” It is mandated by the Constitution (108/1996) that these forms of government should work together in a spirit of cooperation and support. The Constitution provides guidelines as to how these different spheres should function, what their respective powers and duties are, and the manner in which they should exercise their legislative responsibilities. Schedules four and five of the Constitution points out the functional areas where national and provincial government can exercise their legislative competence. The White Paper on Local Government (1998: 12) pinned down the key roles of each respective government in terms of development planning, laws and regulation, capacity building, finance, monitoring and intervention by Table 2.1.

### **2.2.2 The role of local government**

In most areas of South Africa there is a growing awareness of the significance of local government as a potential instrument for development. According to Vosloo *et al* (1974:10) the term “local government” is generally used to refer to a “decentralised, representative institution with general and specific powers, devolved upon it by the central or regional government.” Local governments have jurisdiction over a restricted geographical area within a nation or state and may, to a certain degree, act autonomously. There is a realisation in South Africa that local government has never before had so much power and authority, which is protected by constitutional provisions and is not to be encroached upon by any other sphere of government

**TABLE 2.1: KEY ROLES OF THE THREE SPHERES OF GOVERNMENT**

	<b>National</b>	<b>Provincial</b>	<b>Local</b>
<b>Development planning</b>	Responsible for developing the overall framework for social and economic development in the country.	Responsible for developing a development framework for each province – called the Provincial Growth and Development Strategy.	Municipalities are responsible for developing development plans for their areas – called integrated development plans. These IDPs must work together with the Provincial Growth and Development Strategy.
<b>Laws and regulations</b>	Responsible for developing the overall legislative framework (the laws) for local government. The White Paper is part of this law-making process.	Pass laws and regulations for local government – in line with national laws – to meet provincial and local needs.	Make local by-laws and regulate land use, local tariffs, street trading, etc.
<b>Capacity building</b>	Responsibility to build the capacity of municipalities so that they can manage their own affairs and perform their functions effectively.	Provide municipalities with training and capacity building. They will work through provincial training structures and organised local government. They will also offer technical assistance for such things as developing IDPs.	Municipal Councils have a duty to develop their staff through training and other measures.
<b>Finance</b>	Manage the system of <b>intergovernmental fiscal relations*</b> . It will pass laws on matters such as municipal budgets and the <b>'equitable share'*</b> of national revenue to go to municipalities.	Monitor the financial health of municipalities, and intervene if finances become unsound.	Municipal Councils are responsible for producing five-year financial plans and annual budgets, setting tariffs, metering services, credit control, collecting revenue, targeting the 'equitable share' to the poor, etc.
<b>Monitoring</b>	Produce an overall system for monitoring local government to ensure that information is accurate and there is no duplication in reporting.	Monitor municipalities, according to the national monitoring system. This is to ensure that there are high standards of government and public service.	Set key performance indicators and report regularly on them.
<b>Intervention</b>	May provide guidelines for intervention when municipalities experience difficulties, and may itself intervene as a last resort.	Can intervene if a municipality fails to fulfil its constitutional duties. If a provincial government takes over a municipal function, it must ensure that the Council can resume responsibility for that function as soon as possible.	Take corrective action according to MEC recommendations or instructions.

☛ **Intergovernmental fiscal relations** – the transfer of money from national to provincial and local government.

**'Equitable share'** – the Constitution states that municipalities are entitled to receive a share of national revenue. National government will determine what this share will be.

**Source: Discussion Document on the White Paper on Local Government in South Africa, 1998 (RSA, 1998B Section C: 13)**

Cole and Boyne (1995:191) are of the opinion that bodies that possess all of the following characteristics can be thought of as 'pure local government'.

- ◆ If it has jurisdiction over a substantially smaller area than the national government.
- ◆ It is elected by popular vote, and
- ◆ It has powers of taxation and genuine discretion over service provision.

There are a wide variety of approaches to local government in South Africa, which is a reflection of the diversity of the population of the Republic. This diversity is based on various cultural differentiates such as race, ethnicity, language, religion, regionalism and the level of socio-economic development. Several acts of parliament and policy documents have been adopted since even before 1994, to restructure local government. The most important are: the Local Government Transition Act (no. 209 of 1993), the Local Government Municipal Structures Act (no. 117 of 1997) and the White Paper on Local Government in South Africa of 1998 (RSA, 1998A). These documents focused on the deracialising of local government and the creation of democratic local authorities. Two options were outlined for the governing of metropolitan areas in particular, and saw the following as important functions of "developmental local government" [Constitution (108/1996), Section 152(1)]:

- ◆ To ensure that all communities have access to basic services;
- ◆ To ensure participation in decision-making and planning for all;
- ◆ Promote local economic development;
- ◆ Increase job opportunities;
- ◆ Sustainable use of local resources, and
- ◆ Improvement of the quality of life for all.

There is no single characteristic sufficient enough to define local government. It has to be recognised that local government makes a vital contribution towards the political, social and economic development of a country. It is the form of government closest to communities, and provides a basis for democratic participation in local government activities that has to take place in a transparent and accountable manner. Local government provides essential and emergency services that affect the

daily lives of every member of society, and it is a major agent for the implementation of national, provincial and local policies and strategies.

Local government, being the third sphere of government, incorporates an equally important and distinctive form of governance. The prominence of metropolitan government can almost guarantee it a place as the fourth sphere of government but although it is not constitutionally recognised to be one, it is certainly a crucial, if not the most important component of local government.

## **2.3 METROPOLITAN GOVERNMENT STRUCTURES**

The boundaries between local authorities have become increasingly blurred and this has led to the amalgamation of numerous smaller local governments. The annexation of adjoining suburban territory was the most common way for urban centres to grow and to solve the problems of governing the whole system. It became increasingly clear that some form of coordination and supervision is necessary to manage the conflict of interest that developed between closely located local governments. The idea for metropolitan government grew from the recognition that individual local authorities in fragmented systems were unable to cope with metropolitan conditions such as water supply, sewage, public transport, and in more recent times, planning and municipal finance.

### **2.3.1 Metropolitan Area**

A metropolitan city is understood to be a distinctive form of human settlement that consists of a large number of people living in and around one or more centres of high densities. These centres have a high degree of economic and social integration and are more quickly settled and intensively used for urban activities.

The South African description of what constitutes a metropolitan area is defined by the Local Government Transition Act (no.209 of 1993, Section 1):

- ◆ The area is extensively developed or urbanised and has more than one central business district, industrial area and concentration of employment.

- ◆ Economically, the area forms a functional unit, which comprises various smaller economically interdependent units.
- ◆ Area is densely populated and there is an intense movement of people, goods and services within the area.
- ◆ Area has multiple local government jurisdictions.
- ◆ Area is perceived as being separate from nearby rural areas.

Cameron (1999:93-95) stated that some sections of this definition – which was mainly used for demarcation purposes - were highly problematic. He recommended that the definition of metropolitan area be changed to conform to the “settlement patterned – approach” which is found in the Canadian definition:

*A central metropolitan area encompasses an urbanised core having at least a population of 100 000 and adjacent municipalities having strong linkages in terms of labor market and population (i.e. where people live and work) with the urbanised core (Cameron, 1999:18).*

According to Cameron this definition captures the socio-economic interdependence between people and their communities. If there are extensive links between various settlement patterns, it does not necessarily mean that all interconnected areas are extensively developed or urbanised – a fact which is implied by the Local Government Transition Act definition. It is clear that the criteria for determining a metropole cannot be universal. The differences between First- and Third World Countries (for example their threshold limits) often necessitates that countries like South Africa use their own standards and demarcation criteria based on national or even provincial circumstances.

### **2.3.2 Criteria for determining a metropolitan area**

Cameron, on numerous occasions (1996A, 1997 & 1999), examined the role of boundary demarcation as part of local government democratisation process in South Africa. His major research question was to what extent demarcation in the three metropolitan areas was ultimately decided by political factors. After extensive examinations of the situation in Cape Town, Durban and Johannesburg he came to

the conclusion that political factors were more important than technical criteria in the delimitation of functional boundaries. According to Miles (1970:49) the process of demarcation of boundaries is a major problem in the governance of huge metropolitan areas because it is a complicated and difficult task due to the complexities of urban areas.

The metropolitan areas (1999) were demarcated by provincial demarcation boards instituted under the Local Government Transition Act (no.209/1993). For the 2000 municipal elections, new boundaries will be determined by the new centralised demarcation board, instituted under section 2 of the Local Government Municipal Structures Act.

Kruger (1992) specifies that before any form of demarcation can take place, a thorough examination and assessment of the following aspects has to be done: community or demographic information, standards of service delivery, economic viability studies, administration: personnel, remuneration packages *et cetera* and other diverse aspects for example clinics, hospitals, recreation facilities. He states that demarcation criteria should adhere to two requirements, that is it should be non-discriminatory and as far as possible give expression to the political and socio-economic deterrents of the area under examination.

In the search for practical and functional demarcation criteria for metropolitan regions Cameron (1999) developed the following ten criteria. Local government demarcated areas should show:

1. An interdependence of people and communities in respect of settlement and migratory patterns, work, commuting, spending patterns and recreation.
2. An equitable distribution of resources and services.
3. Promote integrated social and economic development of the area.
4. Financial viability to perform functions efficiently and effectively.
5. Administrative capacity to perform functions efficiently and effectively.
6. Confirmation with the topographical, environmental and physical characteristics of area.

7. Consideration for the functional boundaries of national, provincial and local government.
8. Integrate the use of future land for town and transport planning, industrial, commercial, residential, recreational and amenities use.
9. Promotion of local democracy and accountable government.
10. Integration of existing local government areas.

According to Cameron (1999:19) metropolitan areas require special consideration with regards to reorganisation. The density of population, the existence of multiple, overlapping externalities and the need to coordinate services over larger areas while simultaneously ensuring proximity between rulers and the ruled are just some of the factors that have to be taken into account in organisational reform. Cities tend to develop in an incremental, but often patchy form, and because jurisdictional change lags behind the growth of metropolitan areas, relatively few of them are administered as a single entity.

### **2.3.3 Metropolitan Problems**

Typical “metropolitan problems” are often spatial in character. The emergence of the private motorcar resulted in cities and towns being stretched over vast areas. This and the lack of effective policy implementation reasserted the problem of urban sprawl. Transport problems because of unintegrated roadnetworks and ineffective public transport compounds the problem. Other problems that metropolitan areas have to contend with are pollution (air, water); service delivery (water, electricity); waste removal; uneven employment opportunities and unemployment; high occurrence of crime; lack of personal safety and loss of identity; lack of financial resources and lastly problems with the implementation of projects.

Urban areas, because of their complex nature, are always plagued by problems, which take on a new dimension within a metropolitan sense. There are no easy solutions to these challenges. Bruton & Nicolson (1987:55-56) describes these problems as “wicked problems” or “problems of organized complexity” They identify several characteristics of such problems:

- ◆ *Interconnectivity* – each problem is strongly connected to other problems.
- ◆ *Complexity* – there are various focal points of analysis and intervention and various approaches and policies for action.
- ◆ *Uncertainty* – “wicked problems” exist in a dynamic and uncertain environment.
- ◆ *Ambiguity* – there is no one correct interpretation or solution to a “wicked problem”
- ◆ *Conflict* – conflict of interest among individuals or groups are inevitable in the competing claims for resources to resolve “wicked” public policy.
- ◆ *Societal constraints* – social, organisational, technological and political constraints influence the policies selected to resolve ‘wicked’ public policy problems.

### **2.3.4 Metropolitan Planning**

According to Van Der Cammen (1998:2) the central and abiding concern of urban and regional planning is the conscious adaptation of the city’s form and structure so as to meet the needs generated by continuing economic and human development. Viewed in these terms the task of metropolitan planning is a demanding and complex one. It requires a thorough knowledge of every aspect of the urban phenomenon, of the human environment and of the economic context of urban life. It demands familiarity with the operating systems of the town, its physical framework, features and character and with the opportunities and dangers presented by its geographic and economic setting. All these are necessary if planning is to suggest policies and programs of action, which can achieve the continuing objective of better adapting the form and structure of cities to their users’ needs.

Metropolitan planning is a form of regional planning. It transcends the boundaries of local authorities and has in some cases had major impacts on the physical directions of growth of metropolitan areas. According to Claassen (1988:75) the need for metropolitan planning originates with the growth and conglomeration of cities into one urban mass. It becomes necessary for an intermediate form of government to coordinate the actions of local governments, especially where there is the potential for conflict between local authorities. This creates the need for a form of metropolitan governance since this is vitally important for the nature of and the implementation of metropolitan planning. Not only is planning confronted with the task of addressing

these major issues, it is also faced with the challenge to present cities with an image of a sustainable and successful future.

### **2.3.5 Metropolitan Governance**

The multiplicity of metropolitan problems necessitates that metropolitan regions organise themselves through a form of metropolitan governance. It enhances the ability of local government to plan and control urban development and helps to avoid stagnation or unplanned and uncoordinated growth in cities (Sharpe, 1995: 4).

Cameron (1999:19), Sharpe (1995:24) and Kruger (1992), state several advantages of a system of metropolitan governance. Services can be provided for an area as a whole, seeing that individual municipalities seldom have the optimal area for providing certain services. The centralisation and specialisation of service delivery leads to better coordination of land-use planning. Metropolitan government also facilitates the need to redistribute resources and services from richer to poorer parts of the metropolitan area.

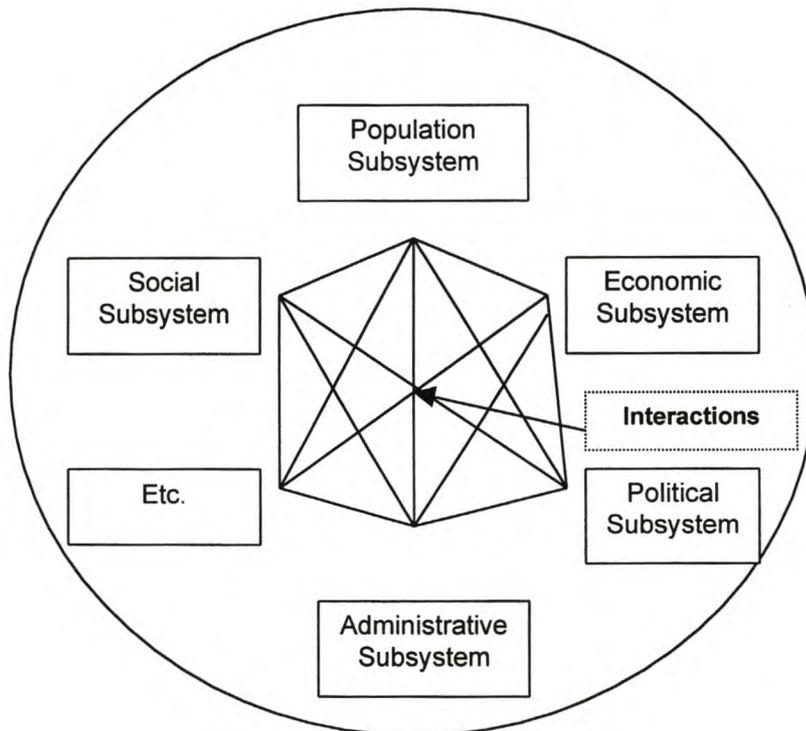
The White Paper on Local Government in South Africa (1998, Section D: 51) elaborates on three compelling reasons for the establishment of metropolitan government:

- a) It creates a basis for equitable and socially just metropolitan governance;
- b) It promotes strategic land use planning, and coordinated public investment in physical and social infrastructure; and
- c) It is able to develop a citywide framework for economic and social development and enhance the economic competitiveness and well being of the cities.

As can be expected there are many role players in the managing of a metropolitan area. To survive the daily conflicts and challenges the metropolis is confronted with, a competent metropolitan authority is necessary to perform metropolitan functions and to coordinate and manage the metropolis. Despite the specialised functions it delivers, a metropolitan system alone cannot be responsible and accountable for

managing the metropolitan system. Van Zyl (1979: 2) illustrated the interactions between the different subsystems of the urban system (in Figure 2.2). Each part may be seen as a system in itself, but together they form a set of interconnected parts that integrates the whole organisation.

**FIGURE 2.2: VERTICAL INTERACTIONS BETWEEN THE SUBSYSTEMS OF AN URBAN OR METROPOLITAN SYSTEM**



**Source: Van Zyl (1979:2)**

### **2.3.6 Types of metropolitan governance**

Every metropolitan area has its own unique set of challenges and this necessitates a unique approach in dealing with them. There are, as a result, many views as to the nature of metropolitan organisation in order to solve twenty first century metro-wide problems. There are a large number of possibilities in the way a metropolitan government can be constituted, financed and elected, and also in the services rendered. The characteristics of a number of well-known metropolitan governments will be used to illustrate various possibilities.

(a) Voluntarism

Voluntarism takes on the form of intermunicipality agreements between a number of local authorities. It facilitates cooperation between these bodies through the implementation of forums that has no executive or taxation powers (Van Zyl, 1979:37).

Cameron (1999:22) notes that because most of their activities are technically driven, it seldomly addresses controversial issues like poverty and unemployment. It is also not able to act as a resource distribution mechanism and lastly the dynamic nature of every jurisdiction means that there cannot be area-wide coordination of problem solving.

(b) Councils of governments

Councils of government were founded in the USA (where there are approximately 600 bodies) and is an institutional form of voluntarism. This means that federal solutions are used to address metropolitan problems. According to Cameron (1999: 23) councils of government receive little political opposition since it leaves the autonomy of existing local authorities intact. The Green Paper on Local Government in South Africa (RSA 1997, Section D: 41) identified this form of metropolitan government as a metropolitan legislature with no statutory executive powers, whose members are indirectly elected from municipalities which fall within the metropolitan area. Claassen (1988:78) points out that these metropolitan planning institutions only have advisory powers and work on the basis of voluntary cooperation. A local example is Metplan, the old metropolitan planning organisation of Greater Cape Town.

(c) Consolidation or annexation

Consolidation or annexation means the combination of one or more municipality into one overseeing body without a remarkable change in the type of service it provides or the powers it exercises. The consolidation of smaller local authorities means that problems can be addressed in a more comprehensive manner at lower costs. It also

avoids the duplication of functions and the lack of coordination between bodies (Van Zyl, 1979: 11-12). This form of governance shows some parallels with the objectives of the unicity (megacity or single-tier) option that is to be enforced in South Africa by the end of 2000.

The passing of more restricted annexation laws in the twentieth century in Toronto has prohibited local authorities of annexing land in neighboring localities, which means that this practice has since ceased to exist (Cameron, 1999: 23-24).

#### (d) Special purpose bodies

According to Van Zyl (1979:45) this is an independent, autonomous form of governance with its own taxbase. It is formed voluntarily by local units and focuses on functions that can be performed in bulk. These bodies show more operational flexibility because of it is removed from the political arena. Special purpose bodies, however, has the problem of accountability because of its distance from the realm of public contestation (Cameron, 1999:25). These bodies are extensively used in France and the United States of America while the Rand Water Board figures as a local example of a special purpose body.

#### (e) Transfer of functions

The transfer of functions allows municipalities to provide fewer but better quality of services. It contributes to the elimination of duplication of functions as services are transformed to higher levels of jurisdiction. Local authorities still has no guarantee that the delivery of services will be organised in a way that will meet the needs of local people. Transferring of functions is used in the state of Massachusetts in the USA (Van Zyl, 1979: 49).

#### (f) Transfer of revenue

The transfer of revenue is a method of awarding intergovernmental grants to poorer local authorities in the hope of offsetting fiscal disparities. This however a very

complex process which is often susceptible to political manipulation (Cameron, 1999: 25-26).

(g) Single tier system

Single tier metropolitan government, also referred to as the megacity or the unicity option, consist of a single council vested with all municipal powers (legislative, executive and administrative) and functions, as well as a single administration. Ward committees, which feature as subsidiary bodies, are area based committees and have no original powers and duties. They are established as committees of the Metropolitan Council, and functions must be delegated from the Council. These bodies may have advisory powers and the right to be consulted on specific issues prior to Council approval (White Paper on Local Government, 1998: Section D).

It is often argued that the merits of the single tier system outweigh the advantages of the two-tier system. The proponents of this form of governance see the following as key reasons for the institution of a single metropolitan government (Cameron, 1999b: 27 & The White Paper on Local Government, 1998: Section D):

- ◆ Eliminate the duplication of functions
- ◆ Facilitate redistribution by using a uniform valuation base and common property rate
- ◆ Recognises the economic and social unity and the diversity of the metropolitan area within its governance structure.

A problem with this system, according to Sharpe (1995: 18), is that it creates a unit of government that is too big to be local and it faces the dangers of compromising local democracy. This form of governance is the exception rather than the norm and is now being introduced into the South African metropolitan scene; its popularity based on the relative success it enjoyed internationally. Winnipeg, Oslo and more recently Toronto are examples of the "one government approach".

(h) Two tier system

The two-tier form of metropolitan organisation was first instituted in Toronto in 1954 and is probably one of the oldest and more popular approaches to metropolitan governance. In a two-tier government system there is division of powers and duties between the metropolitan government and its substructures. Both levels exercise legislative, executive and administrative powers and duties. There are two basic variations:

- ◆ Coordinative or redistributive tier: Local municipalities are seen as the primary level and operate as largely autonomous municipalities. An example is the new Greater London Authority of which the members are now being elected for office in 2000.
- ◆ Integrated metropolitan tier: In addition to its coordinating and redistributive role, the metropolitan council assumes responsibility for a range of functions seen as essential for the integrated management and governance of the metropolitan area as single social or economic entity. An example is the old Greater London Council.

In South Africa the Local Government Transition Act (no.209 of 1993) introduced the existing system of metropolitan councils with metropolitan local councils or substructures for South African areas. In the interim period it was known as transitional metropolitan councils with transitional local councils. This form of governance featured as one of the two options proposed by the White Paper on Local Government (1998).

Despite all the advantages of this type of organisation it often leads to conflict between the governing bodies as to who might be accountable for the exercising of certain tasks. It also leaves the problem of the duplication of functions, which can be costly (Cameron, 1999: 20).

## **2.4 CONCLUSION**

Not all metropolitan areas have metropolitan governments. Sydney in Australia, for example, consists of forty municipalities without any form of metropolitan government. Briffault as quoted by Cameron (1999: 26) points out that metropolitan governments per se are not a panacea for metropolitan problems. It however provides the framework wherein opportunities to assess the problems that are inherent to metropolitan areas can be evaluated.

Metropolitan government evidently forms part of the cooperative system of governance in South Africa. Although it is not recognised as a distinct sphere of government in this country, it nevertheless contributes (in a big way) to the managing of large urban areas.

The demarcation of large urban areas has proved to be a difficult and arduous task, but it is also a necessary one in order to ensure viable future urban environments.

Putting effective metropolitan government structures in place will in the long-term help to address the challenges with which cities are faced. Clarifying the concepts surrounding metropolitan governing structures has assisted in understanding the dynamic nature and working of the metropolis. It also emphasised the need for planning principles and prioritising in order to implement policies and programmes that will heighten the sustainability of urban areas.

## **CHAPTER 3**

# **INTERNATIONAL PERSPECTIVES: EXISTING MODELS OF METROPOLITAN PLANNING**

### **3.1 INTRODUCTION**

As the end of the millennium drew nearer there was a global realisation that more has to be done to conserve and sustain the world's urban areas. With this realisation comes a growing concern for the status of metropolitan planning systems across the world. The changing needs of the community dictate changing practices in terms of policies and the implementation of relevant strategies.

London and Toronto, two of the more popular examples of metropolitan governing systems, took opposing views as to how successful metropolitan planning should be implemented in attempts to address urban challenges. These two cities changed and adapted their strategies over the years to complement the structural environment where their policies were to be implemented. They each took a different path in trying to reach a common goal: to be able to put a local government system on the table that works for all practical purposes.

The aim of this chapter is to give a brief description of the history of metropolitan planning in both of these cities as well as a more detailed discussion of their present form of metropolitan organisation. The earlier development of metropolitan government was well described by Page (1973), Horan (1977) and Rose (1972). Here only a cursory description of the former London and Toronto models is given.

### **3.2 METROPOLITAN PLANNING IN LONDON, ENGLAND**

#### **3.2.1 INTRODUCTION**

London is a city of stark contrasts. While it is one of the most competitive cities in Europe and one of the biggest centres of creativity, culture and finance, it is also

subjected to problems of congestion, pollution and social deprivation (Van Der Cammen, 1998:9).

Central government devised many policies and strategies in the hope of solving the problems that London was confronted with. Over the passed years these attempts has led to major local government reform.

In 1965 a new metropolitan government called the Greater London Council was introduced. This organisation served as a model for metropolitan planning for many years until it was abolished in 1986. The London Planning Advisory Committee was set up in 1986 by the same Act which abolished the Greater London Council. The 1997 Government green paper "New Leadership for London" proposed the re-establishment of a Greater London Authority with a Mayor and an Assembly to be elected in 2000.

This progression will be briefly discussed to ascertain the elements that might be of value to the evolving metropolitan system in South Africa.

### **3.2.2 THE GREATER LONDON COUNCIL**

Metropolitan government in London (and other metropolitan areas in England) grew out of the two-tier system of governance, boroughs (municipalities) and counties (regional government), formalised in 1899. This form of governance was designed to preserve local identities and to provide for metropolitan needs on a wider basis (Page, 1973: 35).

Before 1965 the relevant regional organisation was the London County Council. Problems with this system urged local authorities to make inquiries into alternative solutions to the metropolitan problems London experienced at the time. The Local Government Act of 1963 introduced the Greater London Council. This body was created to manage issues on a metropolitan level and its jurisdiction stretched over 1600 square kilometres. The newly created boroughs (32) replaced the previous 118 boroughs, while each borough had the status of a local authority (Van Zyl, 1979: 25).

### **(a) Division of powers and functions**

Local government was organised in a way that would meet the obligations of central government. The Royal Commission, under the guidance of Sir Edward Herbert, recognised that unless local authorities are so constituted as to be able to undertake all the functions delegated to them, there will always be the risk that more and more functions will be taken away from local government and given to ad hoc bodies or even central government (Miles, 1970: 48).

In terms of the Town and Country Act of 1947 the Greater London Council was responsible for road traffic, mainroads, motorlicencing, sewerage, fire fighting, citizen safety and ambulance services. Contrarily the borough councils, in terms of the Local Government Act of 1963, had the following functions: personal health services, welfare services, child services, libraries, refuse removals, swimming pools, public health inspection and sanitation as well as graveyards and crematoriums and the levying of taxes (Van Zyl, 1979: 27).

### **(b) Planning**

Page (1973:39) states that the regulations framed in statutory Instrument no.48 (1966) amplified the provisions of the Town and Country Planning Acts with regard to the planning functions of the Greater London Council and the individual boroughs. There were specific requirements for the Greater London Council to provide a written statement in support of the Greater London Development Plan which was a policy declaration with regard to the distribution of population and the creation of employment facilities, commerce and industry functions. In 1969 the Greater London Council's structure plan saw the light and it contained mostly written policy statements for the guidance of the constituent boroughs.

### **(c) Finance**

While the Greater London Council had no power to levy taxes in general, it had the power to claim money from the boroughs to finance its activities. The London

Government Act of 1963 stated that the Greater London Council was compelled to present the parliament with yearly budgets (Van Zyl, 1979:27).

In 1974 the number of local authorities in England were drastically reduced also in metropolitan areas. New local government boundaries were drawn and that resulted in the establishment of six metropolitan counties. Boroughs in Greater London were not affected but functions that has previously been rendered or were dealt with at state level were now the responsibility of the Greater London Council (Norris, 1997: 126).

During the intervening years, since the last local government reorganisations, numerous local government institutions for example, special districts and joint boards were on the uprise. These institutions weakened public accountability and reduced the public knowledge and understanding of local government. Actions by the British central government led to further fragmentation in the delivering of services in the urban areas. Private companies now provided many services that were once provided by local government. This contributed to the abolishment of the Greater London Council in 1986 (Norris, 1997: 127).

The reasons for the abolishment were both political and practical. Those in favour of the Greater London Council averred that the Prime Minister, Margaret Thatcher, abolished the Council as well as the metropolitan counties because they were controlled by the opposition Labour Party. Others asserted the extreme inefficiency of the organisation of the Greater London Council. It had a large bureaucracy, which costed the taxpayers much more than the services rendered.

### **3.2.3 THE LONDON PLANNING ADVISORY COMMISSION**

With the abolishment of the Greater London Council in 1986, there was room for a new institution which could try its hand in addressing the metropolitan issues that have gone “unnoticed” by the previous organisation. The London Planning Advisory Committee came into existence in 1986 and replaced the former Council as the Borough’s statutory planning committee for London. The main aim of the Committee was to give the citizens of London a voice in the overall planning in the city, through

their Borough representative. It did this by (London Planning Advisory Committee, 1997:1):

- ◆ Advising government and Boroughs on strategic matters and major development proposals
- ◆ Representing London in the regional planning of the South East
- ◆ Advising government on parking policy.

It was clear that there was no intent for the London Planning Advisory Committee to have any legislative or decision-making powers; it functioned merely in an advisory capacity. It is funded by the 32 London Boroughs and the Corporation of London, and consists of twenty-two staff members (fifteen technical and seven administrative) and works with Borough officers and consultants. The members of the Committee are elected councillors and are democratically accountable through the thirty-three local authorities. Each authority nominates one Committee member (London Planning Advisory Committee, 1997:1).

According to the Guide of Strategic Policies of the London Planning Advisory Committee, this organisation had a four-fold vision for London:

1. A strong economy to stimulate the need for economic success; the implementation of an integrated land use and transport strategy is essential to fulfil London's economic potential.
2. A good quality of life for all Londoners must be achieved through the conservation of heritage and high quality development.
3. A sustainable future is essential to balance the competing demands for economic growth, new development, new transport and other infrastructure to guarantee and improve environmental inheritance.
4. Opportunities for all will make access to homes, jobs, leisure, transport, health and education facilities a much easier feat.

To make this vision a reality it means that strategies have to be devised and implemented through a series of policies. Strategic planning provides the policy framework whereby London can attain a sustainable future. It will be the means “whereby problems would be solved, opportunities be seized and recommendations be made “ in order to receive economic prosperity, social equality and environmental excellence. According to the London Planning Advisory Committee, strategic planning is the key to this vision.

Over the last decade the Committee has played a central role in laying foundations of a strategic and planned approach to underpin London’s future success and to tackle its problems. It took a holistic approach to addressing London’s future and worked on a collaborative basis with all the important enterprises – private and public in the London communities. The current priorities of the body are to:

- ◆ Provide a new policy context for London’s sustainable future.
- ◆ Pay attention to the relationship between the housing need, capacity to build homes and the creation of jobs.
- ◆ Urban renewal
- ◆ Large scale land releases by the public sector
- ◆ Strategic transport
- ◆ Promoting urban quality
- ◆ Contributing to the London Sustainable Regeneration Study
- ◆ Action plan with London Pride to reduce, recycle and dispose of London’s waste more sustainably, creating jobs and industries
- ◆ International transport issues

The London Planning Advisory Committee’s strategic advice is settled on four areas, namely Inner East London, Outer East London, Inner West London and Outer West London. These different parts of London require special approaches to their future development to reflect their particular opportunities and problems. Since 1994 the Committee has continued to monitor, review and update their strategic policies.

### 3.2.4 THE GREATER LONDON AUTHORITY

The July 1997 Government Green Paper “New Leadership for London” proposed the establishment of a Greater London Authority (GLA) with a mayor and an assembly to be elected in the year 2000 (in London Planning Advisory Committee, 1997:3). The London Planning Advisory Committee’s statutory functions, experience and expertise were to be transferred to the Greater London Authority.

The London Planning Advisory Committee, at its meeting in September 1997, welcomed this proposal to create a democratically controlled new government for London. It proposed that the authority must be funded and empowered by devolution from central government. The Boroughs should continue to be, through their Unitary Development Plans, strategic planning authorities. On a trip to London in July 1998, Claassen visited Mr. Giles Dolphin, Assistant Chief Planner of the London Planning Advisory Committee to learn more of the intended new metropolitan government for London. He learnt that the overall approach to metropolitan government in London will stay the same with little or even no changes in some instances. The megacity idea was not an option and the 32 boroughs would continue to retain responsibilities such as housing, social services and local planning. The new Authority will comprise a directly elected mayor and a separately elected assembly of 25 people (14 to represent a specific area and 11 to represent the London-wide area) and will be known as the Greater London Authority.

The tasks of the mayor would be to:

- ◆ Speak for the whole of London;
- ◆ Plan for the future and set up a budget;
- ◆ Run new transport and economic development bodies;
- ◆ Work with new Metropolitan Police to tackle crime;
- ◆ Organise London-wide action to improve the environment, and to
- ◆ Oversee London Fire and Emergency Planning Authority.

The powers of the new mayor of Metropolitan London, according to Amos (1998), are so extensive that it can become “dangerous”. He or she can for example require

conformity of borough development plans with his or her spatial development strategy and has the power to intervene in planning applications of strategic importance. Where planning decisions were normally taken only after discussions with the public in the past, the mayor, without consulting the public, can now decide upon it. There are no proposals for public speaking rights on planning decisions and no reassurance that people will see the papers on which such decisions are based.

The Greater London Authority would control:

- 1) Transport for London.
- 2) Economic development – Attracting new investment, creating new jobs, tackle problems of run down areas through the London Development Agency.
- 3) Environment – Air quality, growing waste problem, tackle local environmental problems.
- 4) Planning – Overall framework for the development of London.
- 5) Police Authority – Half of the Police Authority will be assembly members appointed by the mayor.
- 6) Fire Authority.
- 7) Culture – The mayor has a leading role in the development of local tourism, culture and sport. He will be responsible for the appointment of members to different boards.
- 8) Health – It is the mayor's duty to promise health services to everyone, but not to take over the running of it.

The duty of the Assembly would be to question the Mayor on his or her activities, to agree or to suggest changes to the budget, plans or proposals. It would also check the performances of transport or economic development bodies and is responsible for a budget concerning the police, fire, transport and economic development. These will however not be departments of the Greater London Authority, but separate entities.

### **3.3 METROPOLITAN PLANNING IN TORONTO, CANADA**

#### **3.3.1 INTRODUCTION**

Toronto, one of the biggest cities in Canada, is the capitol of the Canadian Province of Ontario and is situated on the northern shores of Lake Ontario.

The metropolitan area consisted of Toronto and twelve other municipalities. The emergence of metropolitan Toronto was a reactive form of governance to certain social and environmental problems Toronto experienced before 1954. Since that time the system has been changed twice, the latest being in 1998 with the creation of the new unified City of Toronto.

#### **3.3.2 THE BIRTH OF METROPOLITAN TORONTO**

In 1954 the first metropolitan government of Toronto was introduced. A federation compromise was proposed in 1953 and in terms of the Metropolitan Toronto Act a two-tier system of governance was created, which was in theory separate, but in practice built on the principle of cooperation. A metropolitan Council was instituted and consisted of the following (Horan 1977:114):

- ◆ A metropolitan council which served as an executive and legislative body representative of thirteen municipalities.
- ◆ The 25 members of the metropolitan council which was made up out of twelve members from the City of Toronto, one member from each of the twelve towns and one independent chairman appointed by the provincial government, and
- ◆ Seven executive members which was created through procedural by-law to increase cohesiveness and unity of the metropolitan government.

##### **(a) Division of powers and functions**

The metropolitan government only focused on critical regional problems including the provision of public transport and the area of public finance. The thirteen municipalities were responsible police, fire- fighting, and public health and public

welfare. They also made use of a system of shared responsibility when it came to the construction of streets, road maintenance, traffic control, public assistance, zoning and planning (Horan, 1977:117).

### **(a) Planning**

With the establishment of the metropole, the Metropolitan Toronto Planning Board came to life. Its purpose was to set up a plan for Metropolitan Toronto and the surrounding region (Van Zyl, 1979: 17).

### **(b) Finance**

The metropolitan budget was made up out of levies against the 13 municipalities in ratio to the total valuation of taxable property within their jurisdictions. This meant that the whole area was re-evaluated on a uniform basis. The metropolitan authority, according to the Royal Commission on Metropolitan Toronto, were responsible for all municipal loans but could not interfere with their capital budgets (Van Zyl, 1979:18).

In 1957 the structure of the metropolitan governance altered slightly. A formal review conducted by the Royal Commission of Inquiry resulted in the amalgamation of the thirteen police departments of the thirteen municipal districts. It was known as the Metropolitan Board of Commissioners of Police (Horan, 1977:118).

Page (1973:44) points out that although the metropolitan council of Toronto solved the problem of uncoordinated of development pattern to a certain degree, many problems still persisted: financial imbalances between municipalities, the growing concern over equal representation in the Council and persisting disparities within the Department of Education. By 1960 the problem was according to Horan (1977:118) one of growing in equity, frustration and indecisiveness. The more wealthy communities were more reluctant to share their revenues, while the circumstances in less wealthy municipalities worsened due to their increasing responsibilities.

### **3.3.3 LOCAL GOVERNMENT REFORM, 1967**

In 1967 the system was changed by replacing the thirteen municipalities with six reconstituted municipalities and six school boards. Education was taken away as a municipal function and given to the six newly introduced school boards. According to Miles (1970:56) the aim was to:

- ◆ Strengthen local government at municipal level.
- ◆ Remove some of the inequalities of financing public services.
- ◆ Raise the level of public services, and
- ◆ Provide a more equitable basis of representation on the Metropolitan Council.

According to Van Zyl (1979: 18) the Metropolitan Council was reconstructed into 33 members: a Chairperson and twelve members of the City of Toronto, and twenty members that represented the other five municipalities.

Although the federated approach to metropolitan governance in Toronto held many advantages Horan (1977: 131) questioned the actions taken by the metropolitan government to maximise both metropolitan and local government.

The multiplicity of governments seemed to have created problems of confusion and complexity that was to be addressed in the ensuing years.

#### **(a) Division of powers and functions**

The 1967 reorganisation of local government aimed to delegate more authority to metropolitan government in service areas and it was believed that greater efficiency would be attained through increased centralisation. Functions like urban renewal, waste disposal, ambulance services, juvenile and family court system were all regulated to the Metropolitan Administration. The Metropolitan Government appointed certain special-purpose bodies for example the Metropolitan Board of Commissioners of Police and Metropolitan Licensing Commission to assist with the day to day coordination between the constituent units (Horan, 1977:120-123).

## **(b) Planning**

A statutory metropolitan council was created through a Planning Act of 1955. Although a metropolitan plan was produced in 1966, it was never formally accepted, due to the fact that it not only covered planning of the designated metropolitan area but also of the surrounding thirteen municipalities over which the metropolitan council had no jurisdiction. These municipalities were not represented on the metropolitan council and because the problem of jurisdiction was never solved the plan was never presented to the minister.

The plan was generally followed in practice and was used as a guiding principle by the municipalities to set up their own zoning schemes and building regulations. The plan would supposedly have been reviewed every five years. In 1975 the Metropolitan Planning Council was replaced by a Planning Department, which continued with the preparation and reviewing of the plan.

## **(b) Finance**

An advantage of the metropolitan structure was that all money lent at a fixed rate were joint obligations of the Metro and the municipalities, and the borrowing power of the Metro rested on the combined assets of all the municipalities. Municipal services were provided equally throughout the region, which resulted in a decrease of municipal difference. Taxation, however, was not a wholly metropolitan function. It varied from one municipality to another and included rates for general purposes, metropolitan general purposes, and education and transit construction. The Metropolitan Council and the Metropolitan School Board prepared budgets and set municipal levies (Horan, 1977: 129-130).

### **3.3.4 THE TORONTO MEGACITY OF 1998**

The Toronto Metropolitan council was abolished on 31 December 1997 and a new unified City of Toronto came into existence on 1 January 1998. It consisted of all the former municipalities of the Metropolitan Council and has reduced the former two-tier system to a single tier.

Despite the fact that 76% of the voters rejected this move (Reddy, 1998:21) in a referendum held in 1997, the provincial government Premier, Michael Harris, pushed the creation of a megacity through. Many Torontonians were of the opinion that the amalgamation would be “ill-conceived” and felt that it would cause a loss of identity, a reduction in the number of the official representatives and the virtual elimination of the local school boards.

The City of Toronto Act (103/1997) however, listed the following advantages of a megacity: It would

- ◆ Provide leadership and direction in key areas of public concern;
- ◆ Develop the economy, strengthen the social and cultural fabric of the City, and provide environmental strategies;
- ◆ Build collaboration across the City and with the rest of the Greater Toronto Area;
- ◆ Balance community and city-wide needs and priorities;
- ◆ Find new and innovative ways of providing services;
- ◆ Reduce costs where there has been duplication or fragmentation;
- ◆ Build on existing experience and expertise; and
- ◆ Enhance citizen involvement and public accountability.

A transition team was appointed in terms of the City of Toronto Act (103/1997), and facilitated the process of public consultation for the establishment of the new City through public, counsellor and staff meetings. This team made recommendations for a political structure for governing the City and stated that it should be based on three broad principles:

- 1) Be accessible and accountable to citizens;
- 2) Encourage strong strategic leadership and integrated policy development; and
- 3) Provide opportunities for all elected representatives to play an important role in guiding the City.

The political structure is presented in Figure 3.1. Key features of this structure are:

- ◆ The mayor

- ◆ Strategic policies and priorities committee
- ◆ Budget committee
- ◆ Standing committees; and
- ◆ Community councils

### **(a) Role of the Mayor**

It was recommended by the Transition Team that the Mayor should chair the City Council and a Strategic Policies and Priorities Committee. In the Canadian system, mayors are not all-powerful executives who run the City administration. The mayor will have one vote on the council like everyone else, and the power of the mayor's office lies in the influence and leadership the mayor can exercise. He or she would have the responsibility to provide strong political leadership and be a spokesperson for the City and the head of Council, and to support the City's participation in provincial, national and international organisations.

### **(b) Strategic policies and priorities committee**

The Transition Team saw the role of the Strategic Policies and Priorities Committee as one of pro-active leadership. It should include the Mayor, the Deputy Mayor, and the Budget Chief, the community council's chairs and the standing committees. Instead of recommending an executive committee of council whose main role would be to manage council agendas, the Team saw the Committee as the one body who would be responsible for citywide building. Overseeing the transition, integration and evaluation and evolution of the new City government, monitoring implementation of strategic directions incorporated into plans and recommending and overseeing the implementation of economic development strategies, would be some of the tasks of the Committee.

### **(c) Budget Committee**

A Budget Committee consisting of a Budget Chief and a representative from each of the standing committees are recommended. The Committee would be responsible for the coordination of a citywide budget, it would identify and make

recommendations on key revenue, and expenditure challenges and would report to the Strategic Policies and Priorities Committee.

#### **(d) Standing Committees**

The City Council should establish the following Standing Committees: Urban Environment and Development, Works and Utilities, Community and Neighbourhood Services, Emergency and Protection Services, Corporate Services and Community Councils. Each of the new six standing committees would be responsible for the delivering of specific services. Some of the more important functions of a standing committee would be to provide political direction, set priorities and ensure coordination among related policies, programs and services; to provide a forum for public participation; to ensure a cost-effective and streamlined process; to plan and manage the natural and built environment and to respond to the diverse needs of citizens, communities and neighbourhoods.

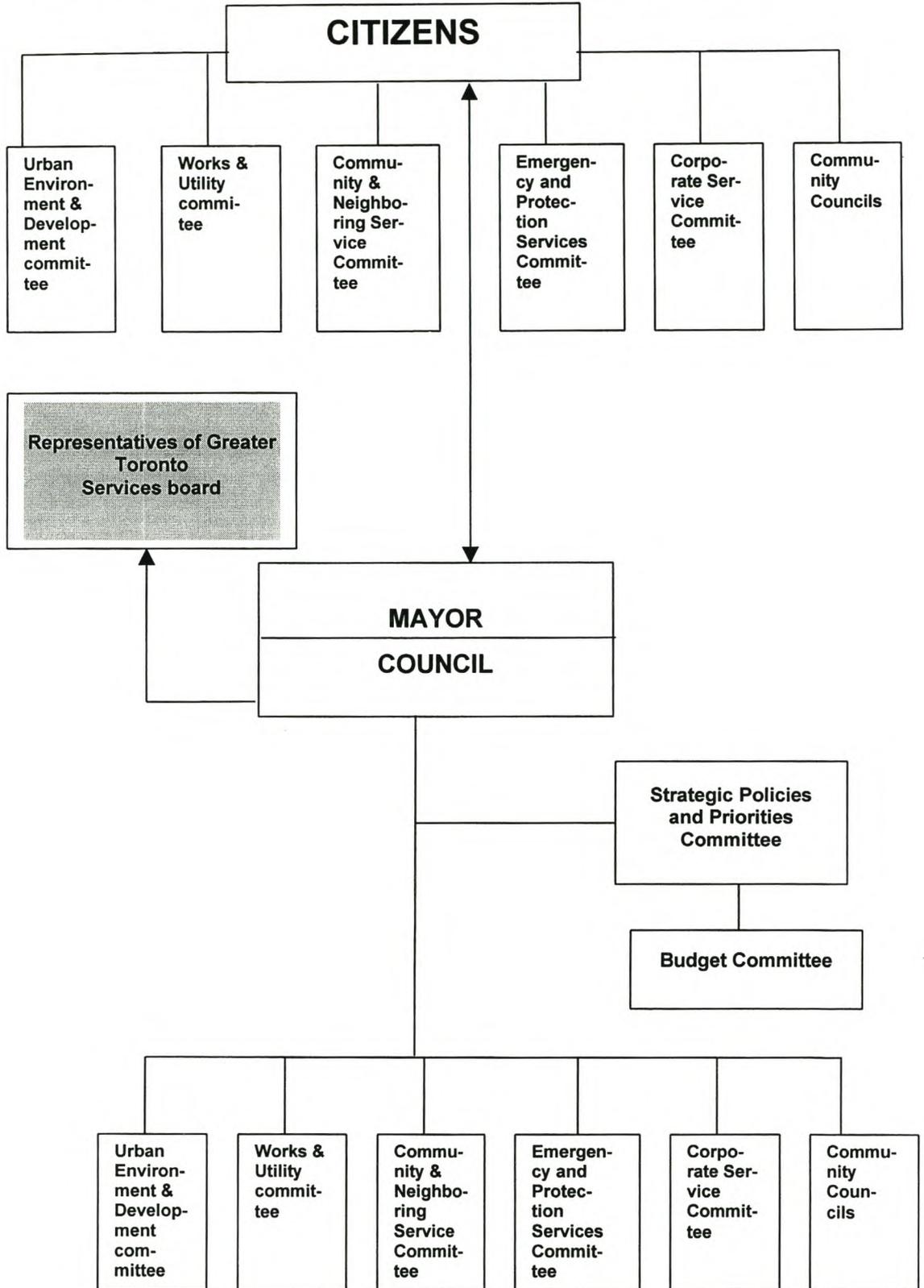
#### **(e) Community Councils**

The City of Toronto Act created six new Community Councils, corresponding to the boundaries of the six area municipalities within Metropolitan Toronto. Community Councils are committees of the new Council. The Councils were composed of the councillors elected to the wards within the community council boundaries.

The City Council may pass a by-law assigning to the community councils any of the following functions with respect to the urban area they represent:

- ◆ Local planning matters that the Planning Act allows to be delegated to a committee of council
- ◆ Functions of a committee of adjustment
- ◆ Management of recreational facilities, such as arenas, community centres and parks, within an approved budget.

**FIGURE 3.1: THE NEW CITY OF TORONTO – POLITICAL STRUCTURE**



Source: City of Toronto Act, Section V, 1997

The transition team pointed out that it is imperative that this process of establishing community councils be streamlined and effective. It is crucial that the process of steering development applications through the community councils be clear and simplified. All the community councils must have equal authority, and the council may if it chooses, change the number of boundaries and composition of the Councils. A broad role of community stewardship has been defined for community councils and they would exercise that role through the various functions ascribed to them by the City Council.

According to Prof. Reddy who visited metropolitan Toronto on numerous occasions (Interview, October 1999), no issue generated as much public interest and debate as the creation of the New City and the prescribed role of the community councils. Although the standing committees differ from community councils in theory, he states that it will basically perform on the same principle. The community councils will play an important role in making the new City Council work and involving citizens and community groups in helping to sustain strengths and improve the wellbeing of Toronto's varied neighbourhoods.

It has to be emphasised that the community councils should play this vital role without becoming another layer of municipal government. They should function as an integral part of the city government, and not as mini-city governments with their own staff administration. If this does not happen the City is in danger of creating greater duplication and fragmentation in decision-making than before amalgamation. Another point of contention is the size of the community councils. There were people who liked the idea of having a community council that covered an area corresponding to each of the six municipalities. Others preferred boundaries based on historic neighbourhoods. In solving this problem the City Council had to look into the probable redemarcation of boundaries for the community councils so that the workload can be more evenly spread, and Torontonians more actively represented in the City Council.

### 3.4 CONCLUSION

Both Toronto and London had had to deal with the institution of governmental structures and the resulting problems thereof pending the failure of the various approaches over the years. Both these cities have recently opted for new systems in tackling problems within a metropolitan context.

The proposal for new leadership for London led to the institution of the Greater London Authority, pending the outcome of the elections held in May 1999, while in Toronto a referendum was held to establish whether the citizens supported the idea of a megacity. In the London case the outcome of the elections suggested that the voters were indeed up for a change in governmental tactics concerning metropolitan issues, while in Toronto it was just the opposite. Although 76% of the voters opposed the idea of amalgamation it was instituted in January 1998, and has been in office for the last two years.

It is clear that both London and Toronto were motivated by different reasons for their choice of metropolitan governance. London is planning to institute the new Greater London Authority at the beginning of the year 2000, with the hope that this time with better planning and an emphasis on improving the quality of life of all Londoners, the two-tier governmental approach will be more successful. Toronto took the more centralised route and decided that a unified body would be better equipped at dealing with the problems of Metropolitan Toronto.

The metropolitan development process in Toronto also has its possible lessons for South Africa. According to Reddy (1998) the transition team in Toronto should have been elected thereby ensuring that it had the required mandate and credibility to perform the task. Although extensive public consultative processes were held some other mechanisms should have been used so that staff at all levels and locations were being regularly updated on development. According to Reddy the transition team concentrated more on political issues and neglected management considerations to the detriment of the new city. He also saw it as imperative that those staff members who did not have the skills to work in the new system should have been sent on a training and development programme.

Despite these points of contention, it seems as if Toronto knew exactly where it was going and how to get there. They went to great lengths at describing the roles and functions of each of the committees and councils that were instituted under the new Act. One has to wonder, however, how these numerous bodies are working and if (despite their different names) they will actually perform specialised functions instead of duplicating functions in the end. Another issue is the creation of neighbourhood committees that were supposed to work on a voluntary basis, but have since been covered under a cloud of suspicion. This was supposed to have been a platform for the community to ensure “people’s participation” in the overall governmental approach, but instead turned out to be a barrier to local government. The ward system failed in London in the 1960’s because it was largely based on a voluntary system (Page, 1973: 36), and it seems as if the same is happening in Toronto unless something else is done to ensure community participation (Interview, Reddy – October 1999).

In South Africa the Government was preparing to take the Torontonians route towards amalgamation by the end of 2000, after local government elections. The question that is often asked is why South Africa followed Toronto in accepting a megacity form of governance, instead of the two-tier system that London chose. The answer lies in the South African national government and their tendency to favour centralised power institutions – a fact that is possible with a unified city approach. The South African metropolitan development process in the three metropolitan areas of the country, as well as the route to “Unicity 2000” and the reasons why the South African Government felt that this was seemingly the only option to metropolitan sustainability, is discussed later.

## CHAPTER 4

# THE EVOLUTION OF METROPOLITAN PLANNING IN SOUTH AFRICA

### 4.1 INTRODUCTION

Attempts to plan at a metropolitan scale in South Africa have a long history. These attempts were often driven by events happening in the metropolitan areas of developed countries. No international models can however be transformed into the South African context without resulting in some negative consequences. Rather, municipal institutions need to be assessed in the context of South Africa's specific circumstances, and judged against their ability to meet the needs of local communities. The need for sustainable urban environments becomes more urgent as urbanisation escalates; city centres become overconcentrated and metropolitan boundaries expands. Metropolitan organisations were established in the hope of finding solutions to these problems. The evolution of metropolitan planning in South Africa has not been the same for all the provinces. South Africa's metropolises differ from each other in size, composition and structure. The diversity of the population and economic circumstances and the nature of political dominance in each metropolitan area dictated the approach that was taken to metropolitan planning and -governance in the respective provinces.

### 4.2 ERA OF APARTHEID, 1940 – 1980

According to Mabin (1995:74) little emerged in the way of concrete new approaches to metropolitan problems since the 1930's. It was not until the election of the National Party in 1948 that metropolitan planning received new impetus. In the intervening years (post-war) Cape Town, Port Elizabeth and East London-areas were all focuses of metro planning strategies. The establishment of joint town planning committees were common (Mabin, 1995:74).

Claassen (1988) points out that these committees acted as coordinating bodies for constituent municipalities and the Provincial Administrations. The structure of a joint planning committee was made up out of:

- (i) Town councilors appointed by different municipalities;
- (ii) A technical subcommittee who represented the town planners, -engineers, the state- and provincial departments, and the
- (iii) Directorate with director and staff who did the planning work

The Cape Joint Town Planning Committee was created in 1937 to combat the problem of congestion in the municipal area, but by 1949 the hostilities of smaller local governments towards Cape Town City Council led to its decline. The Port Elizabeth Joint Town Planning Committee came into being in March 1949. A lack of legal status and the rise to other types of metro planning activities, however, led to its decline in 1957 (Mabin, 1995:76).

Cameron (1999:76) points out that the most distinctive feature of South African local government in this era has been the existence of a racial division of power. Turok (1994:244) surmises it appropriately when he says that:

*“It’s (the Apartheid government) fundamental objective was unequivocal: to achieve racial segregation in all aspects of social and economic life, so as to protect the resources and life-style of the white minority and to subordinate less-advantaged groups... to create self-contained localities that were racially distinct and financially independent, with separate public amenities, administrations and infrastructure.”*

The objectives of the Apartheid government were obtained through the legal enforcement of policies that restricted and divided urban communities, for example influx control, a mechanism that controlled black urbanisation and the Group Areas Act of 1950 that promoted development of separate areas for different race groups. Faced with continued urbanisation the state began an even more aggressive strategy in 1960 in creating so-called ‘homelands’ for the separate development of blacks outside ‘white’ South Africa. The only form of township investment in the 1960’s and 1970’s was huge hostels that served as accommodation to thousands of male

migrant workers. Township residents had no control over local planning and management issues. State-appointed officials operating from the main city councils administered these functions.

The passage of the Physical Planning Act of 1967 created guide plan committees that were responsible for preparing guide plans which would in turn lay down guidelines for the future spatial development of an area. These guide plan committees served as metropolitan bodies and recognised the fact that there was no organisational framework within which development could take place in an effective, orderly and coordinated manner (Claassen 1988 & Turok, 1994:254).

The 1970's saw the creation of separate local authorities for each racial group – White Local Authorities for white urban areas and Black Local Authorities for black urban areas. This event was supposed to substitute black participation in government, but institutionalised segregation further. It aimed to limit the extent to which affluent white municipalities would bear the financial burden servicing disadvantaged black areas, and indeed strengthened social divisions. The division of local government along racial lines produced a great proliferation of public authorities. It contributed to the complexity of the system of governance and caused the enormous fragmentation that a contemporary metropolis still has to contend with today (Turok, 1994: 247-248).

Local government was characterised by a tradition of top-down delivery of engineering services, with strong administrative control. These bodies were strongly hierarchical and accountable to provincial government, which was in turn appointed by central government. Their main function was the providing of engineering services. They were also responsible for refuse removal, parks and leisure facilities and regulating traffic, public health, land-use and trading activities. Local authorities were not involved in education, social services or economic development (Turok, 1994:249).

Turok (1994:250) concluded that the legislation of this era created urban problems that are still evident in South African metropolises and it resulted in huge economic costs, social inequalities, public sector inefficiencies and distorted land patterns.

### **4.3 ERA OF CONTINUITY AND CHANGE, 1980-1990**

The policies that created the inequalities and inefficiencies in the previous era did not go unopposed. Popular opposition became better organised in the 1980's and the tactics of resistance changed. The state began to take a more conciliatory position on urban policy in the mid 1980's, and some of the more rigid regulations were realised or no longer strictly enforced (Turok, 1994:255-256).

Two new metropolitan planning bodies were introduced in this period, metropolitan transport advisory boards, and regional services councils.

According to Mabin (1995:79-80) the establishment of the Urban Foundation in 1977 and a number of new departments in central, provincial and local planning were attempts to address urban problems in new ways. The purpose of the Urban Transport Act of 1977 was to create an institution in each metropolitan area of the Republic, to plan for adequate transport facilities on the one hand and to ensure the implementation of plans on the other. The Act made provision for the demarcation of metropolitan transport areas, the appointment of a core city for each metropolitan transportation area and the creation of metropolitan transport advisory boards (Claassen, 1988).

According to Mabin (Interview, October 1999) the establishment of the Johannesburg Metropolitan Advisory Board, or JOMET as it was known, saw the development of metropolitan planning functions that had not previously existed. The core city prepared a transport plan whereby area-wide services could be delivered. Mabin is of the opinion that it is this very concept that constituted change in the way metropolitan planning was done.

Other examples of these boards were the Metropolitan Transport Advisory Board for Cape Town or METPLAN and for Pretoria, PREMETS as it was known. These transport plans were prepared by engineers and not planners and took precedence over town planning schemes. Representation was indirect and little opportunity existed for public participation.

According to Claassen (1988), Turok (1994:256) and Mabin (Interview, 1999), the creation of regional services councils was seen as a major reformist measure. In 1987, 43 councils were established through the Regional Services Act (no. 109 of 1985). They were intended to provide a new source of income for local government, particularly to redirect some resources from the economic base of the white areas for selective investment in townships. According to Cameron (1999:80) regional services councils were also intended to provide bulk services in a more cost-efficient and effective manner, and tried to avoid the duplication of functions. As Cameron, Turok (1994:256) recognises the fact that these bodies allowed joint decision-making at local government level, by different races, conceding racial-political interdependence for the first time.

Regional services councils became such a popular institution in the late 1980's that Claassen (1988) indicated it as an ideal instrument for metropolitan planning. According to Mabin (1995:80) the councils held some potential as agents for metropolitan planning and this came to the realisation in 1990's when it replaced local councils as core cities for metropolitan transport advisory board purposes. Regional services councils indeed contained the "seeds of metropolitanisation" as it acquired the status of planning agencies for the purposes of structure plans under the revised Physical Planning Act of 1991.

Regional services councils were, however, not without their problems. In practice, opposition from white municipalities meant their role was greatly circumscribed. Voting power within the councils depended on the level of service consumption by their local authorities, and not by population size. This resulted in domination of white councils within the councils. The unequal structure of these bodies meant that they were dismissed by the black community as illegitimate and undemocratic. The council's funds were further restricted by statute to capital infrastructure projects, and could not alleviate the revenue shortfalls and the financial crisis of black authorities (Turok, 1994:257).

According to Turok (1994:257) the reforms of the 1980's had little or no real impact. Instead, the crisis deepened as urbanisation accelerated, the economy stagnated, the rent boycott spread and the separate government structures were unsuccessful

in addressing metro-wide problems. The apartheid legislation was gravely criticised from abroad and together with local political opposition and trade sanctions forced the National Party to accept that apartheid was no longer tenable. A process of transition to democracy was initiated in 1991 and involved negotiations for democratic government and a new constitution. These national changes promoted urban policymakers to adapt and reorganise local government in a way that would ensure sustainable metropolitan environments.

#### **4.4 ERA OF NEGOTIATION (1990-1994)**

According to Berstein (1992:76) the South Africa of the 1990's faced three great challenges, firstly, the transition to a sustainable democracy; secondly, a return to economic growth and thirdly, the achievement of socio-economic development.

The 1990's indeed saw some major changes in the political landscape of South Africa. Major political parties, most notably the African National Congress (ANC) were unbanned by former president and National Party (NP) leader, FW De Klerk. Multi-party negotiations occurred in 1992 and 1993 and ultimately culminated in the passing of the Interim Constitution of the Republic of South Africa, No.200 of 1993. Although it was widely felt that the Interim Constitution was vague about the purposes of local government including the formulation and establishment of municipalities and the different categories thereof (Cameron: 1999, 231), it allowed for the restructuring of local government in accordance with the principles set out in chapter 10 of the Act (Craythorne: 1998, 1). Collaborations between De Klerk, and the freed leader of the ANC, Nelson Mandela constituted what was called the Government of National Unity. The boundaries of nine new provinces were announced and the governing of these provinces was based on power-sharing arrangement (Cameron, 1999:20).

The local government democratisation process began through provisions that were made in Chapter 10 of the Interim Constitution (no 200 of 1993), and the Local Government Transition (no. 109 of 1993). This Act set out a process for moving away from apartheid in local government. Local councilors, political parties, and other role-players were required to set up forums which, upon recognition by the (then)

Administrator, became negotiating forums. In metropolitan areas, the parties were required to negotiate and agree on “(ii) *any transitional metropolitan council with transitional metropolitan substructures...as a possible option for the pre-interim period: provided that the powers and duties of these entities had also been negotiated*” (Local Government Transition Act, no. 109 of 1993, Section 7 (b)(ii)).

In short, a forum could establish a:

- ◆ Transitional local council for non metropolitan areas
- ◆ Transitional metropolitan council with transitional metropolitan substructure for metropolitan areas
- ◆ Local government coordinating commission could be negotiated for non-metropolitan areas.

By using the definition of metropolitan areas in Part V, Section 1 of the Local Government Transition Act (no.109 of 1993), six metropolitan areas were identified in South Africa: the Cape Metropolitan Area, Durban Metropolitan Area, The Greater Johannesburg Metropolitan Area, Pretoria Metropolitan Area, Vaal-Lekoa Metropolitan Area and the Khayalami Metropolitan Area.

National elections in April 1994 constituted the African National Congress (ANC) as majority party in Parliament, and it won seven of the nine provinces, with the National Party (NP) and the Inkata Freedom Party (IFP) winning one province respectively. Both the ANC and NP had opposing views as to the structure local government organisation.

The NP's strategy was that minority interests, particularly those of the whites should be protected through the decentralisation of power to local authorities. There was a realisation that they would lose control over the central state and strong local authorities were seen as a way of retaining a balance and some form of power in a future black central government (Patrick McKenzie, MEC for Local Government in Western Cape – Interview, 28 February 1998).

The ANC, contrarily, was committed to a highly centralised state. It saw the delegation of powers only for the purposes of more effective administration and to enhance democratic participation. After the unbanning of the organisation it strove to put a more comprehensive local government policy on the table which made provision for 'autonomous' local authorities (Cameron Dugmore, Spokesperson for ANC Western Cape – Interview, 28 February 1998).

It seems that the form of autonomy local government had, were stated in relative terms. It proved to be a scenario that did not last for very long, pending the prescribed structural options for local government in the White Paper on Local Government (1998). Provisions were made for local government to act only in so far as their power - that are constitutionally given to them - allowed them to. There are extensive stipulations in government policy as to what is meant by 'autonomous' behavior and how local government should go about performing their functions. It was believed at the time that local government had - for the first time - extensive powers like never before, but indeed it proved to be the opposite. The outcome of national negotiations was largely a compromise between the NP's decentralised vision and the ANC's centralised vision.

A forum, the Local Government Negotiating Forum, was established in March 1993 and its mission was to: "Contribute to democratisation of local government and to bring about a democratic non-racial, non-sexist and financially viable local government bodies and the other half from non statutory local government bodies (Finansies en Tegniek, 28 January 1994).

The Local Government Transition Act allowed for negotiations to define the allocation of powers and duties between the metropolitan government and the substructures. A metropolitan council would have certain defined powers and duties with the substructures having all the other local government powers and duties. Regional services councils and joint services boards would continue to exist, but their areas may have to be amended in certain cases. The function and powers of the transitional metropolitan council is essentially the same as the powers and duties of regional services council and the joint services boards. The Transitional Metropolitan Council however had the discretion to decide which function it would adopt. This was

to ensure that the Transitional Metropolitan Council were not overloaded with new functions which they might lack the capacity to perform (Cameron, 1999: 94-95).

The Act also provided for the establishment of provincial demarcation boards to set the boundaries of local authorities and delimit the electoral wards within them. The era of negotiation has thus far been characterised by disputes in deciding where the appropriate boundaries for individual substructures within metropolitan areas should be.

According to Christianson (1994) in Cameron (1999: 108) the Local Government Transition Act had turned out to be a difficult piece of legislation to implement. There were cumbersome and ambiguous clauses, which made the implementing of democratic local government structures a difficult task for local government practitioners. This was partly due to the fact that local government was only dealt with at a relatively late stage of the multi-party negotiations. Cameron (1999: 109) remarks that the resulting system of metropolitan government was also in many respects an unsatisfactory political compromise.

#### **4.5 ERA OF TRANSFORMATION, 1994 – PRESENT**

With much of the local government negotiation done by 1998, and the transformation of these organisations still in process, South Africa entered a new era of metropolitan planning and governance. This subject became the focus of renewed interest and received new impetus through the implementing of new policies, relevant specifically to urban areas in the 1998-1999 period.

In the Constitution (Act no.108 of 1996), local government - which was a provincial function in terms of the Interim Constitution – has been lifted out to become a sphere of government in its own right.

Section 155(1) states that the local sphere of government consists of the municipalities, which must be established for the whole country. Local government is now the generic term for all local-sphere bodies, while the individual structures are called municipalities. A municipality has the right to govern, on its own initiative, the

local government affairs of its community, subject to national and provincial legislation. According to Section 151(4) "national or provincial government may not compromise or impede a municipality's right or ability to exercise its powers or perform its functions." These clauses indicate a fundamental shift away from the system of provincial control of local government, which has characterised South Africa's intergovernmental system since 1910.

For the first time in South Africa due to constitutional provisions, local government had guaranteed functions, and although it may be regulated by national and provincial government, this must be done in a way that does not compromise its ability or right to govern. Provincial government may only intervene when a municipality cannot or does not fulfill an executive obligation in terms of legislation. Provinces, by legislative or other methods, must provide for the monitoring and support of local government in the provinces, and promote the development of local government capacity to enable municipalities to perform their functions and manage their own affairs.

The attempt to introduce flexible structures had been influenced by the experience of the Interim Constitution, which made provision for fixed categories of metropolitan, urban or rural governments. In the final Constitution legislators came up with a less vague formulation, which still provided sufficient flexibility to local government policy when it came to the establishing of local structures (Cameron: 1999, 231).

The start of the process on the White Paper on Local Government in South Africa came in a Discussion Document in April 1997, which consisted of the most critical issues confronted by local government systems at the time. This document provided guidelines as to *how* local government transformation should take place and elaborates on the reasons for transforming local government. It states that metropolitan government can provide the necessary overall management of large urban centres which is needed to promote economic and social development for the whole area since separate municipalities tend to be interested only in their own area and not in the metropolitan area as a whole. It can also ensure that the wealth of the whole area is used for everyone's benefit particularly those who has been 'historically disadvantaged.'

The final draft of the White Paper was issued in 1998 and proposed two systems of metropolitan government (RSA, 1998A: 52).

(i) The first option is a **fully empowered and elected metropolitan council with ward committees** which could be committees of the metropolitan council. These are Category A municipalities and consist of a metropolitan council which exercises the complete range of powers (legislative, executive and administrative) of municipal duties, and also of ward committees, which are area based committees whose boundaries coincide with ward boundaries. Ward committees will be chaired and convened by the councilor elected to the ward. The functions of the ward committees would or could be advisory, they have the right to be consulted, and they could also “correspond to decentralised services ... to bring administration closer to residents.”

(ii) The other model is that of a **fully empowered and elected metropolitan council with metropolitan substructures**. The powers and functions of the substructures must be devolved to them by the metropolitan council and they will have advisory, supervisory and decision-making powers.

It is clear in both these cases that the members of these subordinate bodies will not be elected. The ward committees would consist of metropolitan representatives and substructure councilors will be the ward councilors. It is proposed that a general upper limit of 45 councillors be imposed, but with some latitude for larger metropolitan areas.

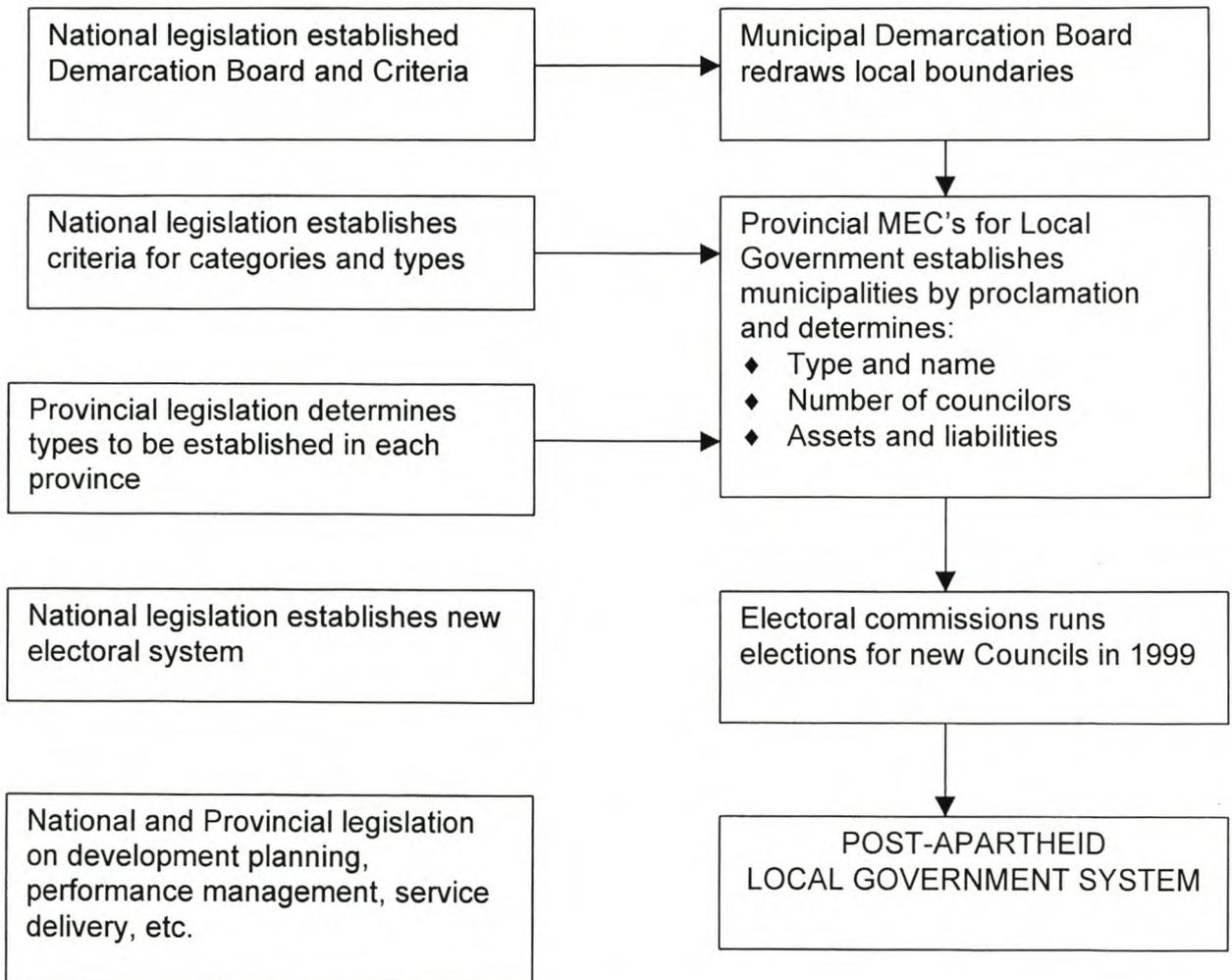
The Local Government Municipal Structures Act (no.117 of 1998), according to Alderman Louwtjie Rothman, Chairperson of the Western Cape Local Government Organisation (WECLOGO), contains a number of controversial issues (quoted in Local Government Digest, May 1999:9):

- ◆ The compulsory introduction of megacities
- ◆ The introduction of a mayoral executive system
- ◆ The introduction of a subcouncil system which allows for delegated powers to be exercised by subcouncils

- ◆ The introduction of ward participatory system which allows for the establishment of wards

The transformation process can thus be summarised as indicated in Table 4.1:

**TABLE 4.1: KEY STEPS TO IMPLEMENTING THE FUTURE LOCAL GOVERNMENT SYSTEM**



**Source: Discussion Document on the White Paper on Local Government in South Africa, 1998 (RSA, 1998B Section C: 15)**

It is clear that the era for the transformation of local government is an ongoing process and will continue to evolve for many years to come. As long as local

government systems are being tried, tested and discarded for better ideas, it will continue to be changed and reorganise in the attempt to solve urban problems.

#### **4.6 CONCLUSION**

Metropolitan planning was first introduced in South Africa in the 1940's, and metropolitan government to some degree in 1986 with the regional services councils. In some cases these systems held advantages, but have largely influenced our cities in a negative way. Metro planning in the different eras was mainly done on a trial and error basis, problems were tackled, as they arose and if particular solutions did not work, others were tried. There was no form of a pro-active planning system, which could foresee problems and create desirable circumstances in which these challenges could be addressed or even avoided.

The introduction of full, two-tier metropolitan governments in 1995 was therefore not entirely new. The great significance lies in the fact that it was the first democratic, non-racial fully representative local governments. That did not only involve the creation of new structures to replace the many racially based local governments of the past, but also brought with it the tremendous burden of redistribution and of reshaping grossly distorted patterns of settlement.

Mabin (1995:88) concludes that metropolitan governance, throughout the century, has been vitally important to the nature and impact of metropolitan planning. Metropolitan planning, in turn, has had major impacts on the physical directions of growth of metropolitan areas. The overall goal of metropolitan planning, to provide a coordinating function in creating sustainable urban environments, has failed largely in the South African case. According to Mabin it has had little impact on quality of life and on the efficiency of metropolitan areas. The challenge for metropolitan management in South Africa is to address both the dependence and inequalities that are prevalent in South African cities.

No South African can still be ignorant of the changes that have taken place in the country over last couple of years, but especially in the last few months on the front of local government. Negotiations for transformation has mainly been facilitated by the

use of forums, but according to Mabin (1995:38) one has to guard against developments like this since they tend to get out of hand. He says that a forum may "take on a life of its own" and take the process of democratising local government further and further away from the people. This is exactly in contradiction with one of the main objectives of the transformation of local government: to provide accountable and democratic local government to the people of South Africa.

## CHAPTER 5

# CASE STUDIES OF METROPOLITAN GOVERNMENT IN SOUTH AFRICA

### 5.1 INTRODUCTION

With much of the local government negotiations done by 1998, and the transformation of these organisations still in progress, South Africa entered a new era of metropolitan planning and governance. This subject became the focus of renewed interest and received new impetus through the implementation of new policies, relevant to urban areas, during the 1998-1999 period.

It is within this legislative framework that the activities in the current metropolitan areas of South Africa are discussed. The information in this section is based on case studies of three metropolitan areas in South Africa demarcated in 1995: the Cape Metropolitan Area, the Greater Johannesburg Metropolitan Area and the Durban Metropolitan Area. Research in these cases has been done through numerous telephonic and personal interviews with the administrative personnel and elected officials of the respective metropolitan councils and metropolitan local councils. The interviews aimed to identify officials' perceptions of the problems of local government, the massive reorganisation processes that accompanied the transformations and the national policies that they deemed necessary to overcome these problems, and thus facilitate the operation of effective and democratic local government. These findings have also been supported by relevant discussion documents in cases where councilors and officials were inaccessible.

## **5.2 THE CAPE METROPOLITAN COUNCIL**

### **5.2.1 The dynamic elements of the Cape Metropolitan Area**

The estimated population residing in the Cape Metropolitan Area in 1996 was between 2,8 and 3,1 million. It is projected to double over the next 30 years to 6 million (Metropolitan Spatial Development Framework, 1993:4). The Western Cape and the Cape Metropolitan Area in particular, has many unique features that set it apart from the other provinces and metropolitan areas. The most significant characteristics of the Cape Metropolitan Region (which comprises the Cape Metropolitan Area and the Winelands District – Wellington, Paarl, Stellenbosch) are its mountains, coastline and fertile valleys. This has created an environment of spectacular landscapes and enormous diversity (Cape Metropolitan Council 1996: 12).

The Cape Metropolitan Area is the second largest of the country's metropolitan areas. It has a well-balanced and diverse economy with particular strengths in agriculture, property and financial services, manufacturing, construction, tourism and public sector services. The region's average percentage share of South Africa's Gross Domestic Product in these sectors has approximately been 14,2% against a 10% population share and a 10,3% labour force share (Fisher, 1997:16).

Despite these assets the Western Cape faces challenges of high unemployment and poverty, inadequate social facilities and widespread social problems: increasing crime, violence, social instability and breakdown of family life. These circumstances are inherent to the inner metropolitan area (Cape Flats and South East Sector) and are aggravated by poor management, ineffective guidance of economic growth, lack of adequate and affordable housing, lack of basic infrastructural services and finally an inadequate public transport system (Cape Metropolitan Council, 1996: 18).

### **5.2.2 Demarcation of Cape Metropolitan Boundaries**

In 1987, the Cape Divisional Council was abolished and replaced by the Western Cape Regional Services Council (WCRSC). New, small local authorities based on

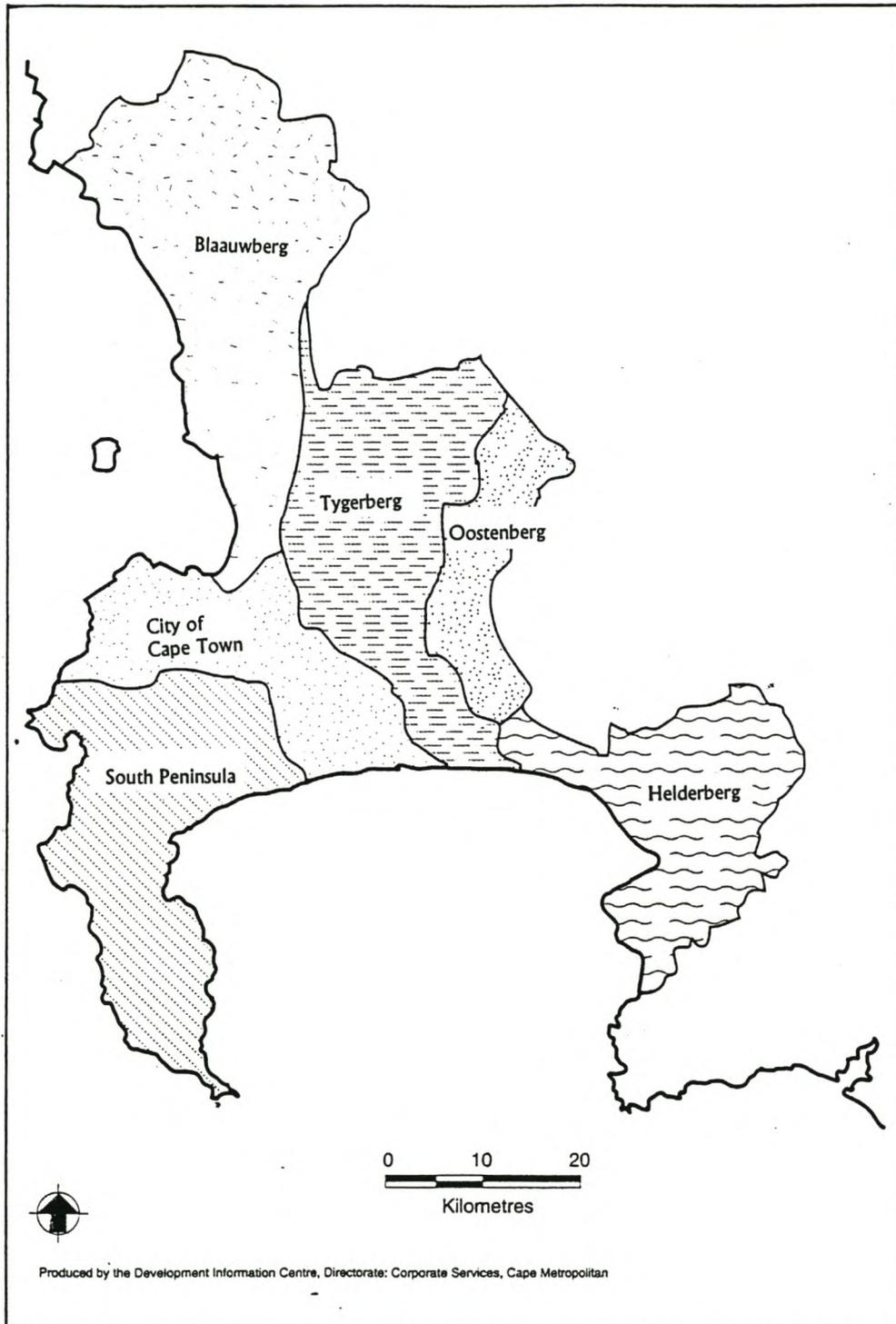
racial grounds and with limited powers were created. By 1994 there were 69 political local authorities, with 19 separate administrations rendering services (Fisher, 1997:1).

The Cape Metropolitan Negotiating Forum (CMNF) was established in 1993 in terms of the Local Government Transition Act (209/1993) and consisted of representatives of statutory local authorities, political parties and civic and labour bodies. This led to the establishment of 39 pre-interim Transitional Metropolitan Substructures and the Transitional Metropolitan Council in February 1995 (Fisher, 1997:2).

The Local Government Demarcation Board for the Western Cape was appointed in April 1994 by the former Administrator of the Cape, in terms of the Local Government Transition Act (209/1993). After the investigation and assessment of all relevant considerations, the Board concluded and recommended that the jurisdictional area of the Cape Transitional Metropolitan Council be subdivided into six substructures. These eventually became the Blaauberg, Helderberg, South Peninsula, City of Cape Town, Tygerberg, and the Oostenberg Substructures which are presented in Figure 5.1 (Western Cape Demarcation Board, Report no.13, 1995).

According to Michael Brewis, Head Directorate of Local Government in Western Cape, deliberations about the substructure boundaries culminated in a major political impasse, which significantly delayed both the administrative restructuring task as well as the holding of the first democratic local government elections in the Cape Metropole (Interview, January 1998). The boundaries of six new metropolitan local councils were proclaimed in December 1995 (see Figure 5.1). A brief assessment of the key differences between the substructures is provided in Table 5.1.

**FIGURE 5.1: CAPE METROPOLITAN SUBSTRUCTURE BOUNDARIES**



Source: Cameron, 1999: 167

**TABLE 5.1: FACTS ON LOCAL GOVERNMENT IN THE CAPE METROPOLITAN AREA**

	CAPE METROPOLITAN COUNCIL	CAPE TOWN	TYGERBERG	SOUTH PENINSULA	BLAAUBERG	OOSTENBERG	HELDERBERG	TOTAL
Estimated Population 1996	-	1 050880	927 060	336 950	127390	240 020m	125 410m	2.8 - 3.1m
Staff (July 97)	3560	10 580	6 500	4 500	1 700	1 650	1 740	30 230
Rates Income 97/98	(Levies) R378m	R585.7m	R220.4m	R175.7m	R58.2m	R52.3m	R45.9m	R1.138m
Total ratefunded Expenditure 97/98	(Levies) R1.35b	R797.06m	R473.75m	R259.44m	R97.1m	R125.4m	R85.9m	-
Rates increase without extra CMC aid	0	4.17%	19.15%	13.52%	37.56%	51.27%	38.7%	-
CMC allocation	-	R26.7m (? + R12m)	R79.4m	R38.6m	R20.2m	R31.4m	R13.4m	R210m
Rates increase with CMC aid	-	12.5%	10%	12.5%	12.5%	12.5%	12.5%	-
Arrears	R356m	R660m	R110m	R4.0m	R16m	R18m	R16m	R1.18b

Source: Fisher (1997), Designing Local Government for South Africa: structures, functions and fiscal options.

### **5.2.3 Challenges faced by the Cape Metropolitan Council**

For Stewart Fisher, Chief Executive Officer of the Cape Metropolitan Council, addressing the following challenges in the Cape Metropolitan Area, thus facilitating democratic and equitable governance is a crucial task. These challenges can be translated into the ideals the Cape Metropolitan Council has had since its inception and the subsequent transformations.

#### **a) Redistribution of income**

According to Stewart Fisher (Interview, April 1998) the Council's allocations to the Metropolitan Local Councils have been aimed at preventing inordinate rates increases, and to standardise these increases across the Cape Metropolitan Area. This is done by applying the principle of equity. Cameron (1997:15) states that the principle of equity has been used in some cases of boundary demarcation, and in this context it refers to the redistribution of revenue from richer to poorer areas to ensure that the less advantaged areas have a minimum standard of services.

The division of the metropolitan area into municipalities produced distortions in service delivery, both within and between municipalities. These disparities arise from a number of factors, including the distribution of formal and informal settlements across the metropolitan area and their related backlogs and distorted rates base. Redistribution then becomes an issue of both access to funds and how big the municipal backlogs are (Tait, 1997:12).

According to Andrew Borraine, City Manager of Cape Town (Presentation, February 1998) creating an equitable tariff and rating system for the City of Cape Town will be a priority for the next two years. The City Council has inherited a divided city with many inequalities, and one of the first steps in dealing with this would be to develop a uniform policy and approach to tackle the problem of nonpayment. A financial framework for implementation in the budget process was developed and this was intended to create a

sound basis for the equitable distribution of resources and services across municipal boundaries. This would involve, firstly, a more rational basis for the distribution of grants from the Cape Metropolitan Council to the Local Councils. Secondly, a common metropolitan valuation mechanism to assist in developing a metropolitan system on fair distribution. Thirdly, important steps toward setting uniform bulk tariffs for the metropolitan areas have been taken.

In 1998/1999 the Council considered the development of common minimum service delivery standards for the whole metropolitan area whilst at the same time ensuring the improvement of services in disadvantaged areas. They are also considering contracting out certain services to improve the efficient delivery of services (Fisher, Interview: 1998).

It is recognised that the Cape Metropolitan Council cannot take exclusive responsibility for redistribution. Metropolitan local councils could also play an important role through intra-municipal redistribution. The perceived failure of redistribution in the metropolitan area had been caused by disruptions in establishing the system, rather than by the failure of these structures.

## **b) Administrative reorganisation**

The transformation of approaches to service delivery and the employment of staff are central to the transformation of local government. Since local government reorganisation began, there has been massive staff reshuffling, resulting from policy implementations and decisions made by provincial legislatures. In Cape Town this has accounted for enormous financial costs, the confusion and insecurities about the jobs among local council workers. Preliminary figures indicated that 10 813 (31,7%) of the 34 152 local government employees were transferred between municipalities (Cameron, 1999:259).

Although the macro restructuring process and transfer of staff and assets is almost close to completion, another round of reorganisation awaits the staff members of local

councils. Pending the redemarcation of metropolitan areas and wards in February 2000 much more work still has to be done to ensure effective and efficient administrations.

### **c) Financing, budgeting and investment**

There have been major difficulties in developing a strategic financial framework for the Cape Metropolitan Area, and this made the balancing of budgets between the Council and the local councils a problematic issue. In 1996/1997 there were major uncertainties around boundaries and functions as well as a significant reduction in the level of financial assistance from provincial and national government. As a start to the 1997/1998 budgeting process two financial framework documents were prepared. These laid down certain principles, guidelines and processes, which, along with the Council, were to inform the preparation of the budgets (Fisher, 1997:98).

The previous paragraphs highlighted some of the main deficiencies and opportunities currently present in the Cape Metropolitan Area. Contributing to these development challenges are the following key issues (Cape Metropolitan Council, 1998):

- ♦ Effective participative and flexible urban management policy to achieve stability, economic growth, efficiency, equity and sustainability and improving quality of life.
- ♦ Integrated metropolitan and local institutions which have the capacity, powers and functions to implement effective change.
- ♦ Addressing basic needs of the poor, and
- ♦ Robust and efficient urban structure to accommodate urban growth.

#### **5.2.4 Form of Metropolitan Governance in Cape Metropolitan Area**

Gathering from the previous discussion, the Cape Metropolitan Council faces extraordinary challenges that are detrimental to the establishment of democratic and accountable metropolitan governance. To address this complex array of circumstances proper governing structures need to be put in place.

The degree of political power (and where it lies) often determine the form of metropolitan governance in a city. Whether political power lies solely at the metropolitan tier (megacity), or there is a balance of power between metropolitan and local councils (two-tier system) or even if political power should reside exclusively at the local level. It seems, according to international experience, that the first and last forms were not viable options and that more consideration should indeed be given to the second option (Cape Times, 16 January 1998).

#### **a) Two-tier metropolitan governance**

Local government authorities in the Western Cape followed the options that was set out by the White Paper on Local Government and adopted a coordinating two-tier system of governance. This meant that both tiers of government – the Metropolitan Council and the local substructures – had executive, legislative and administrative powers and functions.

The Metropolitan Local Councils could operate in largely autonomous capacity, while the metropolitan powers were directed at coordinating metropolitan-wide activity.

##### **◆ Powers and Duties**

The Local Government Transition Act (209/1993) provided a schedule of functions that the Metropolitan Council had the discretion to perform. The core principle was that the Metropolitan Council should only perform those functions that could not be effectively performed by the local councils. The role of the Cape Metropolitan Council was to focus on coordination, the establishing of metropolitan policy frameworks and financial distribution. The Metropolitan Local Councils were to provide all the basic municipal services to the community.

The agreed powers and duties of the Cape Metropolitan Council can be summarised as follows:

- ♦ Bulk water supply to Metropolitan Local Councils
- ♦ Bulk waste water treatment and major stormwater
- ♦ Bulk solid waste management
- ♦ Metropolitan roads
- ♦ Transportation planning
- ♦ Passenger Transport Services
- ♦ Traffic matters – coordination and training
- ♦ Spatial planning and environmental management
- ♦ Municipal Health Services – coordination and specialised services
- ♦ Cemeteries and Crematoria
- ♦ Abattoir
- ♦ Fresh produce market
- ♦ Recreation facilities, Amenities and Sports
- ♦ Promotion – of metro nature
- ♦ Civil protection – coordination and training
- ♦ Fire Services coordination
- ♦ Promotion of economic development

Local Councils would be best to organise and be responsible for:

- ♦ Local Planning
- ♦ Collection of rates
- ♦ Retail distribution of services
- ♦ Road and traffic matters
- ♦ Approval of plans
- ♦ Health Service and fire protection
- ♦ Local libraries
- ♦ Parks, recreation and community centres

According to Fisher (Interview, April 1998) the Cape Metropolitan Council does not see itself as in any way superior over the local councils and does not seek to control them. It

rather sees itself as operating in an equal partnership where they can assist the local councils in rendering their municipal services.

Although the two-tier approach had many advantages it was heavily criticized by the proponents of the strong metropolitan model versus weak local councils. Some of these advantages were:

- ♦ It was flexible in determining which levels of government would best provide a particular service;
- ♦ It had the ability to take advantage of economies of scale in areas of borrowing and the avoiding of duplication to a certain degree;
- ♦ It made the sharing of resources and burdens possible, and
- ♦ It established a cohesive base of political support and created a trend towards equalisation.

Besides points of criticism, there have been problems with this system in the Cape Metropolitan Council. It seems that a lack of clear definition about the powers of the metropolitan and local councils has created problems of who is responsible for certain services and duties – resulting in two different councils exercising powers in the same jurisdiction. This has led to some duplication of functions among local authorities.

#### ♦ **Decision-making between the Cape Metropolitan Council and Metropolitan Local Councils**

According to Tait (1997:7) there was little acceptance of the way in which decisions about the metro area as a whole were taken. The kind of decisions most affected at the metropolitan level relate to spatial planning and redistribution of finance (collected through levies and intergovernmental grants) from the metro level to the municipalities. The nature of decision-making in a two-tier system requires different and additional solutions to manage the relative autonomy of the municipalities while ensuring that the city as a whole functions as an integrated unit.

The problem with the Cape Metropolitan Council decision-making process is that it is apparently difficult for ward councillors to reflect the interest of their own municipalities, not so much because of the difference between these and metropolitan interests, but rather because of the relationship between the ward and the representatives on the committees. The fundamental problem, however, relates to the fact that there are two tiers of government making decisions about the same area of jurisdiction.

The passing of the Municipal Structures Act in 1998 gave local authorities no other option but to accept their fate and be amalgamated into one unifying body.

### **(b) Megacity for Cape Metropolitan Area**

The idea of a megacity as an approach to metropolitan governance is derived from the international model of Toronto, which recently adopted this form of governance after decades of implementing the two-tier approach. The motivation of this new approach, which is largely enforced by the ANC-government, lies in the argument that the existing system of metropolitan government is inadequate in addressing the problems metropolitan areas are facing. Continuing with this form of government will therefore leave South Africa with more inequalities and social divisions.

The Single City metro government will consist of (Cameron, 1999: 244):

- 1) Metropolitan Council that has a complete range of municipal powers (legislative, executive and administrative)
- 2) Ward committees which will be area based. They will have no powers or duties. It will function as a committee of the metro council with only advisory powers and the power to do something if it is delegated from the metro council.

The perceived advantages of a megacity will be:

- ♦ Better distribution of resources;
- ♦ Equitable distribution of taxes;
- ♦ Equal and fair management of the metropole;

- ♦ Knowledge of “who is responsible for what”;
- ♦ Coordinated public investment;
- ♦ Better competition;
- ♦ Strategic land use planning;
- ♦ Integrated management of urbanisation, and
- ♦ To ‘rescue’ cities from their historical disadvantages.

There are severe criticism levelled against the megacity idea. The Cape Metropolitan Council for one felt that the problems the Cape Metropolitan Area is experiencing would not necessarily be resolved through a structure reform. The Council together with the six Metropolitan Local Councils has made countless submissions to Parliamentary Executive committees contesting this prescribed option for future metro governance. Not only do they see this centralisation of power as a play for party political reasons, but also as a means to remove decision-making out of the hands of the people - something that was not so long ago a fundamental concept in the ANC-camp. More so it will compromise local democracy as well as local politics. The costs pertaining to yet another transformation phase is also one of the main arguments against this form of governance.

The Cape Metropolitan Council is supported by the Western Cape Local Government Organisation in its appeal to the Constitutional Court on the legitimacy of the Municipal Structures Act. They claim that it is directly in conflict with Section 155 of the constitution that states that there are different categories municipalities and national legislation must define the different types of municipalities that may be established with each category.

According to Mr. Christians (Administrative Secretary to Minister of Executive Council of Local Government, 1998) in the Western Cape case, this means that in a megacity with a population of approximately 3 million and 45 councillors there will be one councillor for 67 000 citizens, where at present there are 340 councillors with a ratio of 1:8 823 citizens. This compromises accountability and democracy a great deal, especially in areas where people are generally disadvantaged and the illiteracy rate is high. It means

people will come forward even less to voice their opinions because they are not empowered to do so.

### **(c) Alternative Models**

Amid the megacity debate, City Manager Andrew Boraine (Cape Times, 24 April 1998), has suggested an approach to metro government that would combine many of the best elements of the existing local council structure with the advantages of overall unitary control. He points out that since 80% of local government business is at local community level, separate councils should continue to administer this. The remaining 20% would be the responsibility of the metro council (financial policy, housing, transport, tourism, land use and equitable distribution of municipal revenue). This would remove the main shortcomings of the present set-up, most importantly the failure to coordinate and redistribute resources from all local councils to the poorest areas. It would also help to curtail the unhealthy competition between neighbouring municipalities, all vying for more than their due and unnecessarily duplicating functions.

Representative of various councils would all serve on the metropolitan body and have a more total say in matters of common interest, making councillors far more accountable than what they are at present.

### **5.2.5 Planning for the Cape Metropolitan Area**

The need for a metropolitan spatial development framework (MSDF) was confirmed, for the first time, at the so-called 'Caledon Conference' in June 1991, by members of the Western Cape Regional Services Council, Cape Town City Council, The Metropolitan Transport Planning Branch and Wesgro. Since then four draft discussion documents have seen the light.

The purpose of the Metropolitan Spatial Development Framework is to describe proposals to guide the essential changes that are needed to restructure and manage the

Cape Metropolitan Area. The Framework foresees a strong and dynamic Cape Metropolitan Area which addresses the needs of its people, and which seeks to fulfill their potential and optimise the opportunities of the region. The function of the MSDF is to (Technical Report, 1996: 3-5):

- give legal status to an integrated spatial metropolitan development framework, which contains spatial principles, policies and strategies;
- provide a framework for conformity-based decision-making for metro-scale planning and development in the CMA, and
- to guide national, provincial and local authorities in responsible metro planning.

After the completion and adoption of the Metropolitan Spatial Development Framework Technical Report by the Cape Metropolitan Council in April 1996, a Statutory Working Group comprising officials from local authorities, the Provincial Administration of the Western Cape and other metropolitan stakeholders was established to prepare a draft statutory plan. It should focus specifically on strategic metropolitan spatial principles, policies and structuring elements and will guide, direct and coordinate spatial planning and related development at metropolitan level on a long-term basis. The aim is to achieve collective commitment to metro restructuring, integration and sustainable development whilst giving strategic direction to public spending priorities at metro scale.

The Cape Metropolitan Council is also responsible for drawing up an integrated development plan, for five years, in cooperation with the six Metropolitan Local Councils to establish priority projects and programmes.

### **5.3 THE GREATER JOHANNESBURG METROPOLITAN COUNCIL**

#### **5.3.1 The dynamic elements of the Greater Johannesburg Metropolitan Area**

The province of Gauteng was created under the Interim Constitution in 1994 (originally called the PWV Province) and covers most but not all the PWV urban region, excluding

previous African Reserve or Bantustan areas in the north or in other directions (Cameron, 1999:161).

Metropolitan Johannesburg is central to Gauteng, and serves as the provincial capital. It is bigger than some four provinces put together and still remains the “engine room” for South Africa’s national economy. It is South Africa’s number one financial leader and is projected to have a population of 6,1 million in the year 2000 and 7,7 million in 2011 (Finansies en Tegniek, 30 January 1998).

Johannesburg serves as a barometer of economic growth, social development, creation of opportunities and generally the wellbeing of the nation. It is a key intellectual centre, and is responsible for much of the innovation and trendsetting in the country (iGoli 2002 Plan: 9).

Despite all the fiscal advantages, Johannesburg is not depicted as a “happy place to live and work in.” It is characterised by great discrepancies which are exacerbated by the specific form of metropolitan governance that is and was applied in Johannesburg. While it is South Africa’s most economic vibrant metropolis where wealth is generated on a scale not elsewhere emulated in the country, it also comprises various parts that are underdeveloped and directly excluded from the benefits of the urban system (Mandy, 1991:75).

According to some of the city’s councillors and officials Johannesburg in its present form is collapsing under incompetence, profligacy and its incapacity to raise revenue. The public perception of the municipal administrations is that of corruption, weak political leadership and poor work ethic (Financial Mail, 12 September 1997). Councils are unable to extend provision of service to the poorest of the poor at a fast enough rate. Johannesburg has a 31% unemployment rate, an economy that grew by 0,3% over the last two years while the population increased by 2% per annum. These problems and the current two-tiered system of governance have created a situation of conflict between the metropolitan council and its substructures. The fragmentation and destructive

competition made it difficult to produce a cohesive political and redistribution agenda for the city; and although current transitional political and administrative arrangements attempts to address these challenges, the crises presently experienced in Greater Johannesburg is likely to deepen before it is resolved.

### **5.3.2 Demarcation of Greater Johannesburg Metropolitan Boundaries**

For the first time in 1985 some form of metropolitan governance was established through the Regional Services Council Act. There are contentious issues that the Councils went some distance in addressing especially problems that were faced by the Black Local Authorities at the time. Metropolitan problems were however not entirely solved; there still remained more inequities and disparities in terms of service delivery and financial resources (Mandy, 1991: 92-93).

According to Cameron (1999:165) the demarcation of services councils for the Witwatersrand in 1986 is regarded as one of the critical steps in the creation of a “metropolitan area” for Johannesburg. It could be described as a “soft top” form of metropolitan governance – where the real power remained within the smaller areas of the local authorities. The regional services councils fall between the councils of government and special purpose bodies discussed in 2.3.6. As held by Mandy (1991: 92-93), Cameron states the fact that despite this important move, it did not solve the problem of apartheid local government.

In 1991 the regional services councils took over the functions of metropolitan planning under the Transport Planning Act. Unlike situations in Cape Town and Pretoria, the Central Witwatersrand did not have its own bureaucracy and administration. Thus the same metropolitan department of the Johannesburg Metropolitan Transport Advisory Board (JOMET) became the administration of the services council. This happened at the same time as national negotiations. There was a tacit agreement that the boundaries of the Regional Services Council would be the same as the previous JOMET-boundaries.

With this development metropolitan planning became the main subject of negotiations in Johannesburg (Mabin; Interview, October 1999).

The Central Witwatersrand Metropolitan Chamber was established in April 1991 after two years of disputes and discussions between the Soweto Civics, local councils and the Transvaal Provincial Administration around issues of poor services, the rent boycott and unviable local authorities (Turok, 1993:69). The main purpose of the Metropolitan Chamber according to Cameron (1999:167) was to provide a platform for negotiating non-racial and democratic structures of local government and to improve the quality of life of people. Turok (1993:72) further states that the task of the Chamber was to prepare foundations of policy development for a future metropolitan authority. A complete restructuring of past policies was fundamental and a broad plan was produced by a physical development group. This Interim Strategic Framework (ISF) was intended to guide investment decisions over the next few years.

From this period of negotiation emerged three points which fundamentally shaped the creation of metropolitan governance in Johannesburg. Firstly, the acceptance of a “hard top” form of metropolitan government, i.e. the metropolitan sphere would be the more powerful, with the local councils much less significant. Secondly, existing local councils would be abolished, rather than be the basis of local councils in the new era. Thirdly, the acceptance of the fact that Greater Johannesburg would essentially be the same area, with relatively few alterations, as the Central Witwatersrand Regional Service Council. These three positions almost entirely framed the subsequent demarcation of boundaries for the local government elections of 1995.

When the first Greater Johannesburg Transitional Metropolitan Council (GJTMC) was appointed under the Local Government Transition Act at the end of 1994, it took over the powers and responsibilities of all the local authorities within its boundaries, with the understanding that with time those powers would be handed down to substructures. Unlike the two other provinces, which had one metropolitan council each, the Gauteng

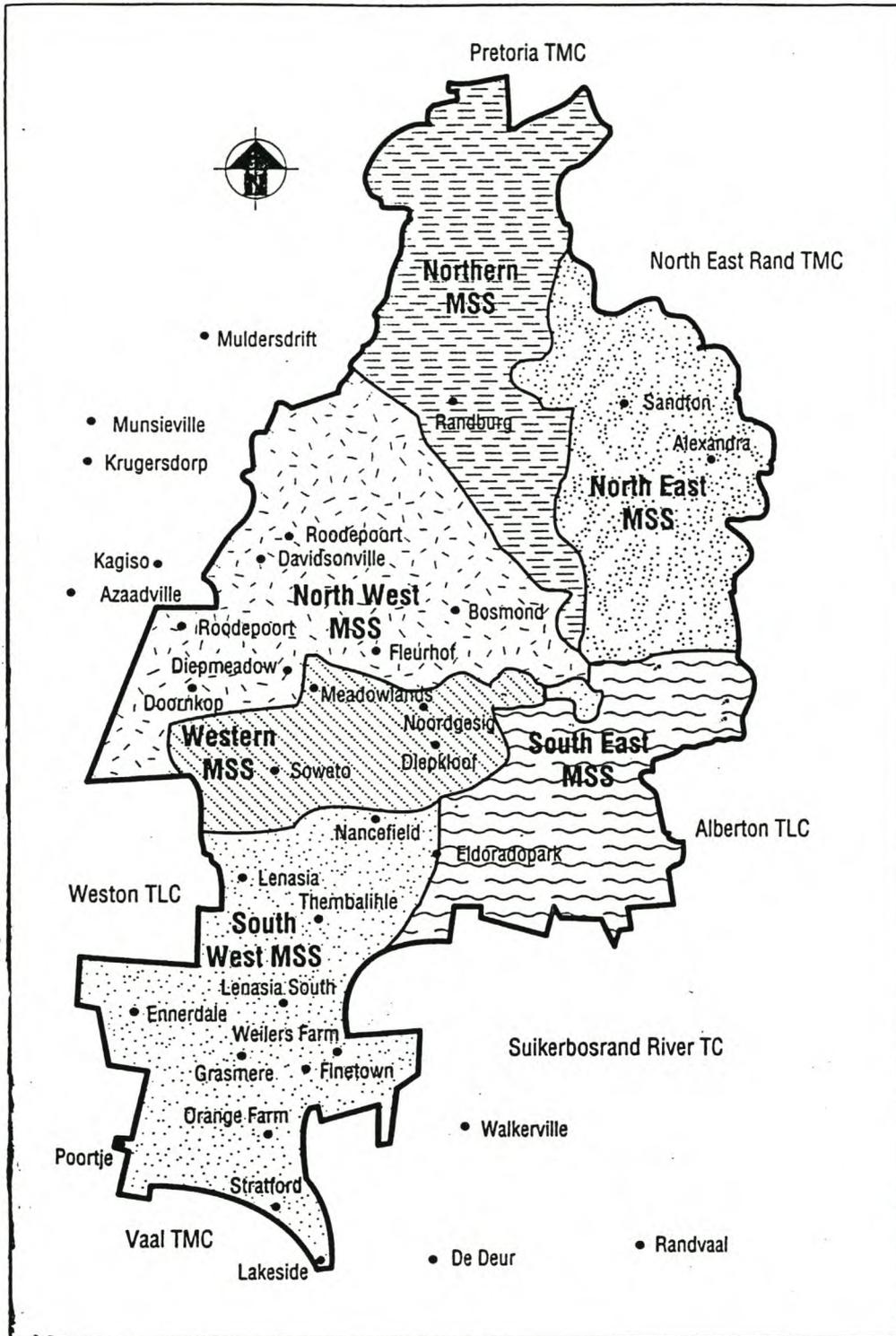
Demarcation Board faced a situation in which four negotiating forums were recognised by the Transvaal Provincial Administration (Cameron, 1999:179).

Mabin (Interview, October 1999) points out that the creation of metropolitan governance in Greater Johannesburg was a process marked by the roles of particular personalities. Experienced officials and politicians of the old provincial and local authorities had the tendency to re-establish their predominance through their knowledge on how to run local government. Together with the civic movement (who faced a difficult transition from resistance to development) the nature of the relations between the Transitional Metropolitan Substructures and Transitional Metropolitan Councils, and the boundaries of both, remained to be contested.

The Gauteng Demarcation Board lacked clear and uniform principles of metropolitan demarcation. In this context the Board became the terrain of further political negotiation over the nature of local government in the process of drawing boundaries (Cameron, 1999:180).

After considerable discussions, the Greater Johannesburg Metropolitan Transitional Council passed a motion to recommend to the Board that Johannesburg should have four substructures. These would be the three northernmost of the arbitrators' Transitional Metropolitan Substructures, and one giant substructure, together with Soweto, Lenasia, Ennerdale, Orange Farm and the southern suburbs of the former Johannesburg Council. After more extensive deliberations and proposals of alternative models, a new four Transitional Metropolitan Substructure model for Johannesburg was proposed (see figure 5.2).

**FIGURE 5.2: GREATER JOHANNESBURG AND SUBSTRUCTURE BOUNDARIES**



Source: Cameron, 1999: 199

### **5.3.3 Challenges facing the Greater Johannesburg Metropolitan Council**

The long period of negotiation and then transition resulted in reluctance on the part of local politicians to commit themselves to clear development policies and to find ways of putting suitable strategies together. Local government in the Johannesburg area went through a period of paralysis from 1990 to 1996. The provincial government's intervention in metropolitan Johannesburg's finances and administrative structures towards the end of 1997 could be regarded as at least as much a consequence of that paralysis as of problems resulting from the demarcation process (Mabin, Interview-October 1999).

At the end of 1998 Johannesburg was a city that found itself in a crisis. Financial problems were mounting, the physical infrastructure was collapsing and the morale of the city's 24 000 employees was at a very low ebb. The central cause of the current situation was the existence of the two levels of strong local government that have been enforced by provincial proclamation in early 1996. According to Spiropoulos (1997: 2) this proclamation went against the local level agreements that had been reached on metropolitan government, and also against the political and administrative preparations that had been made for the agreed demarcation and the associated distribution of powers and functions. This was a critical period for Metropolitan Johannesburg, and many of the current problems are a result of this period.

#### **(i) Governance**

The current two-tiered system has produced five councils with five independent administrations. This arrangement has produced a situation where the local interests served by a metropolitan local council often compete with the priorities of the city as a whole. The fragmentation and destructive competition produced a situation where it was difficult to produce a cohesive political and redistribution agenda for the city (iGoli 2002 Plan: 4).

According to councillors and officials in the Johannesburg metropolitan legislature the allocation of responsibility between the metropolitan and metropolitan local councils is unclear. This hampers effective coordination and the development of a clear metropolitan direction and strategy in relation to these powers. In the absence of a clear direction and strategy the Metropolitan Local Councils simply “respond to local level dynamics”. The Greater Johannesburg Metropolitan Council does not have the ability to play a strong redistributive role and an effective role in diminishing disparities and inequality. The majority of councilors are unable to muster up the time and resources to adequately represent their constituencies and they are not capacitated to both in terms of skills as well as support to effectively mobilize and represent their communities.

### **(ii) Financial sustainability**

The city’s financial crisis is well known, but according to its councillors it cannot be over emphasised. The city, however, has no savings, it has a long-term debt of R2, 8bn and there are problems of non-payment for services rendered.

### **(iii) Service Delivery**

The size of local councils, with their wide scope of services delivery responsibility and the sharing of power and responsibility with a historically strong metropolitan council, which is also comparatively well resourced, has generated uncertainty, indecisiveness and incoherence in both political and administrative decision making. It has led to duplication in many respects and to the waste of resources and capacity. Most importantly, it has diverted attention inward into the organisation and away from where attention should be – towards service delivery and measures by which to enhance the economic base and to implement reconstruction and urban transformation (Spiropoulous, 1997:4).

#### **(iv) Management Capacity**

The problem of management capacity is that it directly affects the effective functioning of the organisation. This is the result of many factors; the structure of the council with its tradition of a line function manager, the image and practices within the public service, the nature of the remuneration and pension system and the loss of significant skills over the past years. The absence of appropriate skills is the outcome of this practice and the image of the public service becomes less than dynamic, hierarchical and not performance linked. The committee system of decision making, the complex administrative systems and other factors produce a management without significant powers.

#### **5.3.4 Form of governance**

In 1997, Muff Anderson, the Director of Communications in the Johannesburg Metro, suggested four options for the future of Metropolitan Johannesburg: (i) keeping the status quo as it was with the metropolitan- and the existing four autonomous local councils; (ii) creating a larger number of smaller local councils and a smaller number of councillors; (iii) keeping option one, but with the finance and budget processes centralised and controlled by the metropolitan council; and (iv) a central authority to control the metropole (Mail & Guardian, September 1997).

Since these options have been put forward by Anderson there have been considerable changes to the governmental approach in Metropolitan Johannesburg. Johannesburg has long since been on the road to a unicity even as the other metropolitan areas battled to retain the two-tier status. As Muff Anderson (Interview, October 1999) puts it: *“The megacity debate might not have been formally “outed” from the closet of party caucuses at the Johannesburg Metro centre – but the building blocks of a single-tiered city have already been put in place. While the media still often talks about the unicity as a future event whose outcome is still dependent upon present debate it is indeed a journey that has already begun. The drivers on the journey are the Committee of fifteen and the*

*organisation review process. The passengers are all five Johannesburg councils and all elected political party representatives. The destination is a single-tiered city, which, once the Municipal Demarcation, Structures and Systems Bills have matured into fully fledged legislation, is a reality for Johannesburg.”*

### **5.3.5 Planning for the Greater Johannesburg Metropolitan Area**

Johannesburg needs to go beyond a broad description of its vision and some understanding of its problems and constraints and develop a detailed strategy which is backed by a well defined program of work which indicates both a clear institutional and delivery component as well as a long term expenditure framework (iGoli 2002 Plan).

The iGoli 2002 plan is an integrated plan that hopes to address substantively all of the issues addressed in section 5.3.3 which motivates the need for transformation. By the end of 2000 Johannesburg will in terms of the Municipal Structures Act become a Unicity. The Demarcation Board has already pronounced its initial proposals for the outer boundaries of Johannesburg and finalisation of the inner boundaries can be expected by January 2000.

Based on the outer boundaries, the Independent Electoral Commission in conjunction with the Demarcation Board will carry out an internal demarcation of Johannesburg into wards. Fifty percent of councillors of the future Unicity council will be ward representative, while the remaining 50% will be on proportional representation list. The total number of councillors on the Unicity council cannot exceed 270. The Minister of the Executive Council for Local Government and Development Planning in the Province will issue a section 12 notice in terms of the Municipal Structures Act describing the type of Metropolitan Council for Johannesburg. The two main options are that either, it is headed by an Executive Committee, or an Executive Mayor who appoints a mayoral committee. The elected council can then choose either, both or none of the following two options, i.e. to have sub-councils with delegated authority or ward committees with an

advisory role. Figure 5.3. highlights the regional structure of the future Unicity government (Collins, Interview- October 1999).

The key implications of the decisions on the above four issues will need to be taken into account when designing the new administration of the Unicity. The key elements include having a single Chief Executive Officer, determining the number and location of regional administrations, the relationship between regions and sub-councils if they are created and the relationship between independent corporatised entities and the administration. Other than these the central challenge will be to integrate the five administrations into one, choosing which services are run as one unit from the centre for the whole metropolitan and which services are provided on a decentralised basis (iGoli 2002 Plan: 11).

The iGoli 2002 Plan proposes the institution of a number of programs to realise their goal of making the Unicity work. These programs will be briefly discussed (see Figure 5.4.).

#### **(a) Programme A: Utilities**

Utilities such as electricity, water and sanitation and waste management should be provided by publicly owned utility companies, under the control of the metropolitan council. These companies are however not under the constitutional mandate to provide services to the poorest of the poor communities, as is the case with local governments. Problems with the availability and quality of services to these communities will therefore not necessarily be eradicated with the outsourcing of services, unless these companies are fully committed to do so.

### **(b) Programme B: Agencies**

Services which do not have a direct service charge, such as roads, stormwater, parks and cemeteries should be provided by a council owned company (iGoli 2002 Plan: 16).

### **(c) Programme C: Privatisation**

The three entities for privatisation are Metropolitan Gas, Rand Airport and the Johannesburg Stadium.

### **(d) Programme D: Corporatisation**

The projects that do form part of this programme have user charges, for example, the Zoo, the civic, the Bus Company and the fresh produce market. They operate in a competitive environment in that there are other suppliers of the same or similar services, and they have the potential to improve both the quality and quantity of the service they provide. The broad objectives for creating them as independent corporate entities is firstly to ringfence their operations and allow them to operate as a focussed business unit, secondly to establish a more appropriate governance and institutional structure that will free them from bureaucratic administrative procedures and lastly to create a progressive human resource development environment (iGoli 2002 Plan:19).

### **(e) Programme E: The core administration**

A new Greater Johannesburg Council made up of 50% proportional representatives and 50% ward representatives, a Mayor who will be Chair of the body with executive and political authority will have been established.

Part of this programme will be the Central Planning Administration. The general manager of planning would have executive responsibility for spatial planning. This involves the production of local integrated development plans, which are then integrated

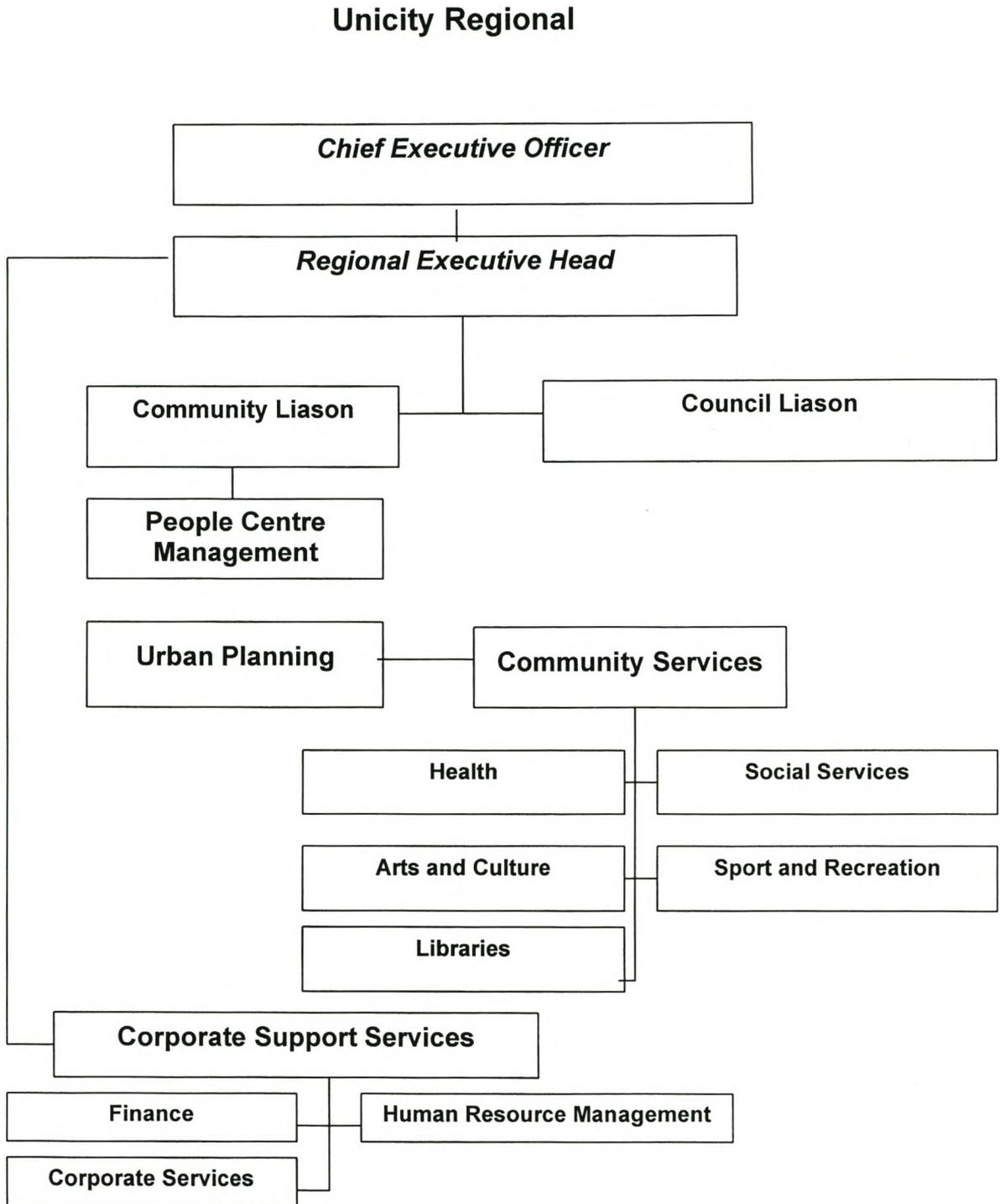
into a single plan for the city. They will also have the responsibility for putting in place and managing a single land use management system.

#### **(f) Programme F: Financial Plan**

The purpose of the financial plan is to restore Council to financial health as quickly as possible so it can begin to deliver more effectively on its mandate. This means carefully managing financial resources in the short term, so that it can become possible to embark upon council programmes and activities, which are sustainable over the long term (iGoli 2002 plan).

The authors of the iGoli 2002 plan recognise the fact that a transformation program would be incomplete without putting together a long-term plan for Johannesburg. Their approach focuses on the need to address basic needs as well as creating economic growth and competitiveness. Unless they are able to generate growth and competitiveness, they will not have the resources to address basic needs. It is also true, however, that unless they address basic needs they will not create the environment and the necessary human capital to allow for economic growth to take place.

FIGURE 5.3: COMPOSITION OF THE UNICITY GOVERNMENT



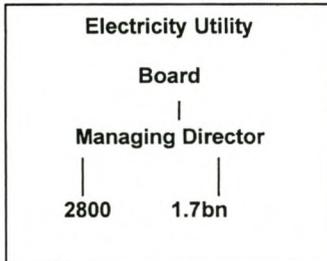
Source: iGoli Plan 2002, Greater Johannesburg Metropolitan Area:23

**FIGURE 5.4: STRUCTURE OF THE PROGRAMMES IN THE iGOLI 2002 PLAN**

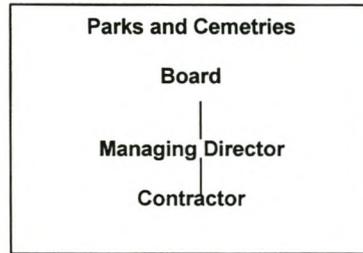
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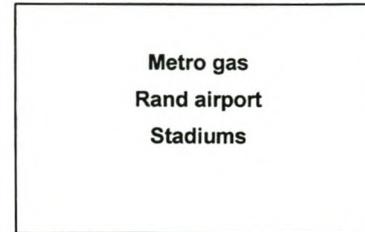
*Programme A*  
*Utilities*



*Programme B*  
*Agencies*



*Programme C*  
*Privatisation*



*Programme D*  
*Corporatisation*



*Programme E*



Source: Adapted from iGoli 2002 Plan, Greater Johannesburg Metropolitan Area

## **5.4 THE DURBAN METROPOLITAN COUNCIL**

### **5.4.1 The dynamic elements of the Durban Metropolitan Area**

The Durban Functional Region (DFR) refers to the broader Durban Metropolitan Area which covers an area of 1366 square kilometers, and includes Durban, together with a complicated array of sixty-six local authorities.

Topographically, Durban is fairly uneven with severe physical constraints – the sea, rivers, gorges and hilly, broken inland areas. The metropole stretches from the Umkomaas River in the South to the Tongaat River in the North and reaches 50 km inland to Cato Ridge in the scenic thousand hills area. The city shape or spatial structure that emerged is therefore marked by striking imbalances and is often characterised as a divided city. Its fragmented and inefficient spatial form works well for those who have access to the facilities and opportunities in its urban core, but it does not meet the needs and aspirations of the majority of its poor residents, mostly black people, who live on its fringes and comprise close to 70% of metropolitan Durban's total population of 3,2 million. There are therefore marked disparities in the spatial distribution of resources; high transport costs imposed by the inefficient spatial structure; the rapid rate of urbanisation – all aspects that have a negative impact on the lower-income, geographically marginalised majority (Pillay, 1996: 33).

The population of the Durban Metropolitan Area is diverse in terms of race and culture (56% African, 27% Indian, 14% White, 3% Colored). Almost one third of the population has four years of formal schooling (mostly blacks) while 8% of the adult population is illiterate. Recent surveys have indicated a decline in the rates of population growth, attributed largely to the general decrease in family size as well as the impact of AIDS. Current growth rate is estimated to be approximately 2%, but this varies across racial groups, with the growth rate of the white population being 0,01% and the black population 3,78% (Durban Metropolitan Council, 1998).

The Durban Functional Region is the major and dominant centre of economic activity in the Kwazulu-Natal region. It is responsible for over half of the region's production (59,3%) and over a third of the region's total employment (33,8%). The region has a fairly diversified economy, with strengths in a number of sectors that include manufacturing, commerce, transport, community and social services and increasingly finance (Khan, 1997:1).

According to Udesch Pillay (Cameron, 1999: 204) political expression and organisation in Durban, and the former province of Natal, has often exhibited political and cultural distinctiveness. The African National Congress made particular inroads in the metropolitan area in the late 1960/ early 1970s and by the 1980s this translated into war of control for the townships and a struggle for political allegiance between Inkatha Freedom Party (IFP) and the United Democratic Front (UDF), the ANC's predecessor. In the period after 1987, this escalated into one of the worst cases of conflict yet witnessed in South Africa. The ANC and the IFP, being the two main parties represented in the Provincial legislature as established by the 1996 local elections, each made concerted attempts in the post-1994 period to broaden and consolidate their support bases in the locality of Durban (Cameron, 1999:204).

The Durban Metropolitan Area is faced with complex problems including the existence of policies and institutional arrangements of an old order, which need to rapidly transform to meet new challenges. The physical and spatial distortions play themselves out in a context of massive unemployment, grinding poverty, violence, crime accelerated urbanisation, land invasions, market-driven deracialisation, complex demographic shifts and movements, decentralisation of retail and office space, decentralisation of industrial development with reduced employment opportunities due to capital intensification and the rampant spread of AIDS. The physical constraints also constitute major limitations on restructuring initiatives (Khan, 1997:1).

Notwithstanding these constraints, local politicians and administrators are of the opinion that Durban can be a global competitor by building on its traditional strengths while substantially transforming them to meet new demands and challenges.

#### **5.4.2 The demarcation of the Durban Metropolitan boundaries**

According to Cameron (1999: 205) Durban went into the demarcation process as a metropolis at cross roads: the region was experiencing a development crisis, and without a doubt, local-level institutional reform was urgently needed.

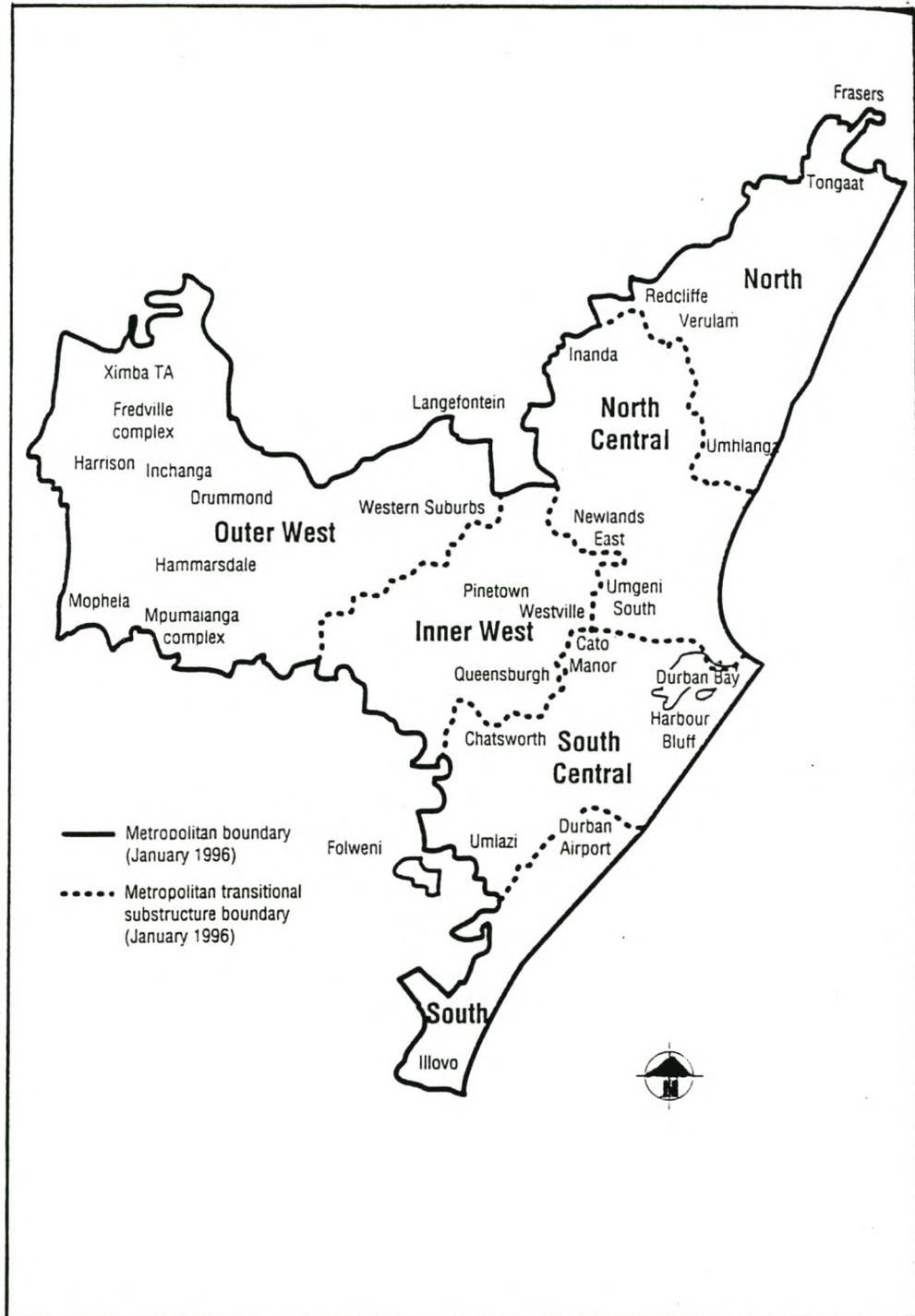
During the second half of 1992 the major political, civic and local government players in the Durban Functional Region were brought together in discussions around the proposed establishment of a metropolitan development forum for the region. On 9 December 1992 their deliberations culminated in the launch of an Interim Development Committee for the region. The initiative for this development forum arose as a result of an “expressed need for a means whereby the development potential of the region could be realised.” The forum would be representative and inclusive in addressing the needs, projects, developments, and processes relating to the socio-economic development in the Durban Functional Region (Wiley & Talbot, 1993: 107).

The Greater Durban Metropolitan Negotiating Forum was established in April 1994 and it was required to negotiate the establishment of a transitional metropolitan council with transitional metropolitan substructures. The forum would include all local government bodies, town and city councils, black local authorities, political parties, civics and ratepayer associations. A convening committee representing statutory and non-statutory organisations in the Durban Metropolitan Area was formed to oversee the establishment of the Greater Durban Metropolitan Forum. The convening committee initially adopted the Durban Functional Region (66 local authorities) as the metropolitan forum (Khan, 1997: 7).

On 1 June 1995, the Transitional Metropolitan Council and four interim Transitional Councils – Central, Northern, Southern and Western - were established. These councils operated as transitional councils until local elections were held on 26 June 1996. Demarcation of the substructure boundaries was as a result of a settlement reached when the matter of the number of substructures and their boundaries came before the Special Electoral Court. The settlement basically centered on the retention of the interim boundaries but with the Western substructure being split between Inner and Outer West and the Central being split into the North Central and South Central. On 26 June 1996 council elections were held to elect councillors to the metropolitan council and to the six councils within the metropolitan area (see Figure 5.5). Table 5.2 depicts the main distortions between the metropolitan local councils on a comparative basis

Pillay (Cameron, 1999: 212) evaluated the process of the demarcation of the boundaries in Durban as a highly volatile and politically charged. Political parties did everything in their power to pre-empt the actual electoral process by making sure that the new demarcation and delimitation of the Durban area in as far as possible work to their advantage, in the hope of ensuring certain electoral outcomes. The work of the Demarcation Board was extremely difficult and its recommendations were always subject to intense review and scrutiny. The substructure issue though no less charged, seemed to have been driven less by political motives than by considerations which ideally should have informed the metropolitan demarcation process

**FIGURE 5.5: DURBAN METROPOLITAN AND SUBSTRUCTURE BOUNDARIES**



Source: Cameron, 1999:222

**TABLE 5.2: FACTS ON LOCAL GOVERNMENT IN THE DURBAN METROPOLITAN AREA**

Local Council	Total Pop	% DMA Pop	Area of Local Council in ha.	Area of Local Council as % of DMA	Total Formal Res	Total Formal Rest	Total Peri-Urban Res	Total – Dwell	%DMA Dwell	Mean H/H Income	% Earning less than R800	% Side Unempl	Depend Ratio
North	121842	6	209	15.3	109624	9881	2337	28117	6	3420	22	14.8	0.73
North Central	736836	34	210	15.37	520050	214701	2086	173725	35	2460	26.5	17.6	0.67
South Central	604456	28	204	14.93	481530	120072	2855	141243	29	2680	18	18.5	0.73
South	118519	6	89	6.52	95160	23298	60	27498	5.5	3900	9.5	14.8	0.56
Inner West	305855	14	203	14.56	196517	107907	1432	71657	14.5	4820	11	12	0.82
Outer West	259479	12	451	33.01	75752	89318	94409	49852	10	1710	13	22.2	1.14
Total	2146987	100	1366	100	1478633	565177	103179	492092	100	Metro 2880	Metro 20	Metro 19	Metro 0.75

Source: Khan, 1997. Metropolitan case study as input to the Local Government Green Paper

### **5.4.3 Challenges faced by the Durban Metropolitan Area**

#### **(a) Allocation of powers and functions**

According to councillors and officials in the Durban Metropolitan Council the allocation of powers and functions seems to be working “extremely well, except for a few glitches here and there.” Within the context of the Spatial Development Framework “getting things right” revolves around identifying areas of local and metropolitan action and identifying common and particular areas of concern relating to implementation. In spite of the general spirit of cooperation resistance to metropolitanisation has been a perennial theme in Durban’s effort to create coherent metropolitan government. This resistance features very strongly among some small local authorities; for example, Westville and Pinetown and the desire on the part of these municipalities to retain their “special ambience” (Interview, Reddy – October 1999).

Conflicts between the metropolitan and local councils around development projects are also a major factor which has a negative influence on citywide planning and development.

#### **(b) Intra-metropolitan redistribution**

Rates are the main form of local level taxation and comprise a significant component of operating income. The rates structure of the metro features a degree of cross-subsidisation from richer to poorer areas. The quantum of wealth transfers is difficult to estimate and the critical question is how far it is feasible to tax richer households and commercial and industrial concerns so as to yield a surplus for redistributive purposes without causing major inequities, political turmoil or weakening of the local economy. In the case of Durban these transfers have not benefitted poorer communities, particularly African townships, which have historically been located outside of the core urban areas and have been only until recently separately financed and administered. With the spatial, administrative and financial integration of cities, local resources now have to be

spread over the city's entire extent. There remain significant obstacles in the rationalisation and equalisation of rates that will need to be addressed through legislation.

Although extensive redistribution was taking place in the Durban Metropolitan Area it was generally felt that it could be improved by allocating additional powers to the metropolitan council. The most needed powers were as follows (Cameron, 1999: 281):

- ◆ The Metropolitan Council should have legislative powers to set a levy on local councils, and the right to collect that levy
- ◆ The Metropolitan Council should have the right to allocate funds to any local council within the Durban Metropolitan Area for any legitimate municipal purposes
- ◆ The Metropolitan Council should have the power to enforce a common property valuation and rating system across the metropole.

### **(c) Intergovernmental relationships**

According to Khan (1997) there is a poor relationship between the spheres of government, especially between the local and provincial government bodies. This leaves room for substantial provincial and national interference and meddling in local government affairs and projects. This problem is further compounded by the lack of coordination and communication between and within councils in the Durban Metropolitan Area.

### **(c) Rent and service arrears**

The rent and service arrears for the Durban Metropolitan Municipalities – R10,6 million – are according to Cameron (1999: 281) relatively low. However, this amount is somewhat misleading. It is in respect of approximately 21 104 rented units for Indian and Coloured areas only. Black rental units are still subsidised by the province, although they are in the process of being transferred to the Durban Metropolitan Area municipalities. Rent

and service arrears will rise substantially once the Durban Metropolitan Area municipalities have full responsibility for these black areas.

Contributing to these challenges are the following critical issues identified by the Urban Strategy Department (Jackie Subban, Interview – October 1999):

- ◆ **Revenue adequacy and certainty:** Local authorities need to have adequate sources of revenue, either their own or governmental transfers, to enable them to carry out the functions that have been assigned to them. Furthermore there has to be some certainty about revenue in the interest of sound financial planning.
- ◆ **Sustainability:** Financial sustainability requires that local authorities ensure that their budgets are balanced. Services have to be provided at affordable levels and they need to ensure that they recover the full costs of service delivery. There should be some form of subsidisation for the poor.
- ◆ **Effective and efficient resource use:** Local authorities need to make maximum use of available resources, effectively and efficiently. It is generally accepted that efficiencies in public spending and resource allocation will ultimately increase access to basic services.
- ◆ **Accountability and good governance:** local authorities should be accountable to the local citizenry for the use of public funds. Accounting and reporting procedures should minimise opportunities for corruption and malpractices.
- ◆ **Equity and redistribution:** Citizens should be treated fairly and justly, in the provision of services. Local authorities, in turn should be treated in the same fashion by provincial and national government when it comes to intergovernmental transfers. The equitable share of national revenue to which local government is entitled will be directed to subsidising the provision of basic services.

- ◆ **Development and investment:** There should be maximum possible investment in municipal infrastructure. Public sector investment in municipal infrastructure should be encouraged.
- ◆ **Macro-economic investment:** Local authorities are an integral part of the broader public sector in South Africa and should operate within the national economic framework. They should support rather than destabilise national fiscal policy.

#### **5.4.4 Form of Metropolitan Governance in the Durban Metropolitan Area**

Durban created two parallel structures of local government in which the metro and local councils operate and relate to each other as equal partners. Metropolitan governance in Durban was based on the two-tier approach, which meant that the Metropolitan Council and the Metropolitan Local Councils had executive, legislative and administrative powers and functions. According to the (Inkatha Freedom Party) Minister of the Executive Council, Peter Miller, the two-tier model had worked in Durban because the functions and powers of the metropolitan council and the local councils were different, separate and clearly defined. He said that Durban, unlike other cities, “had not put redistribution on a pedestal as a sole objective.” While redistribution of municipal resources was an important priority, so too was the sustainability of existing wealth-producing areas to ensure that there was something to redistribute.

The powers and duties of the Metropolitan Council and Local Councils are spelt out in Proclamation No.38 of 1996 and are broadly similar to the functions in the Cape Metropolitan Area as listed in section 5.2.4.

According to Khan (1997) this model was not without its problems. There have been some bruising battles around staff redeployment and the filling of vacancies, but generally the metropolitan development process thus far in Durban went relatively well in comparison with the other two metropolitan areas. Margaret Winter, Chairperson of the Durban Metropolitan Council (Cameron, 1999: 279) is of the opinion that the metro lacks

sufficient power to implement its policy. She argues that although the Metropolitan Council and the local Councils have agreed on joint plans, nobody takes responsibility for the implementation. In 1998 she saw the devolution of more powers to the metro as a solution to the problem and retaining the two-tier system.

Discussions with Durban Metropolitan Council officials also revealed a concern that the Metropolitan Council “lacks the teeth” to implement planning and other joint service decisions. This is an impediment to the Metros performing a strategic role in the metropolitan area.

The metropolitan development process in the Durban Metropolitan Area has gone exceptionally well, with less disruptions and problems than in any other metropolitan area in the country. According to Cameron and numerous other urban scholars, the Durban municipalities have gone through the least unbundling and also have the most unambiguous powers and functions agreement

#### **5.4.5 Planning for the Durban Metropolitan Area**

An integrated development framework has been established for the Durban Metropolitan Area. Integrated development plans are prepared by local councils within the framework of the metropolitan integrated development framework. However, the division of powers has led to overlap and there are area territorial disputes (Cameron, 1999: 281).

Restructuring the Durban Metropolitan Area to improve its performance requires more than spatial changes, it also requires better management, organisation and use of its spatial elements. Since local government has extensive influence over development policy, funding, infrastructure and service provision, regulations and controls, and its capacities and assets, it is ideally placed to effect significant changes to the spatial form of the Durban Metropolitan Area (Durban Metropolitan Council, 1998).

The Spatial Development Framework satisfies the provincial requirement of having an instrument to guide investment and a mechanism to ensure ongoing refinement and modification, and provides a foundation for implementing development plans. The Spatial Development Framework provides a framework within which services and facilities are located. The plan assists in integrating programmes across sectors and to identify development priorities and strategic project areas. The spatial application of strategies provides guidance in terms of drawing on the collective capacity and resources of the Durban Metropolitan Area to address problems and provide guidance in terms of making the best use of assets. The translation of policy guidelines gives the basis on which to make decisions about where development should or should not go.

The Framework provides a tool for promoting and managing physical transformation and restructuring processes within the context of developmental local government. It is an effective tool to respond to the Area's spatial development challenges in an integrated matter.

## **5.5 CONCLUSION**

Since the demarcation and establishment of South Africa's metropolitan areas in 1995, major transformations due to the implementation of certain policies have occurred in these city centres. The first round of reorganisation took place shortly after the metropolitan areas and their substructures were declared, a process that took considerable time to be finalised. The newly created structures had to deal with various challenges, that became part and parcel of the new dispensation. Issues like service delivery, the allocation of powers and functions the redeployment and reorganisation of staff and assets and dealing with the unique circumstances in every metropole, were some of the tasks with which the new council was faced. Cape Town-, Johannesburg- and Durban metropolitan areas each had their respective way in which they dealt with development issues which was in turn dependent on the form of governance.

Some broad comparisons can be made of the governance of these three metropolitan cities. The first point is that boundaries ultimately determined the political power in the three metropolitan areas. Secondly, while boundaries are not the crucial variable determining the governance of these cities, they certainly are a contributory factor. According to Cameron (1999:283) the Cape Metropolitan Area's local councils boundaries are not perfect but have to a certain extent facilitated the provision of services and redistribution, as have those of the Durban Metropolitan Area. On the other hand the Greater Johannesburg's boundaries are generally recognised to be dysfunctional and impeded the delivery of services.

Thirdly, when it comes to financing, there has been substantial redistribution from the richer Metropolitan Local Councils to both the Metropolitan Council and other poorer local councils in the Greater Johannesburg Area. In the remaining two metros the local councils pay the metropolitan for services they provide on their own behalf, but there is no redistributive levy along the lines of the Johannesburg model.

Fourthly, new boundaries necessitated the division of functions and powers and the unbundling of staff, functional and financial assets and liabilities. The time that would be spent on this reorganisation process was vastly underestimated during the previous demarcation process.

All three of the metropolitan areas had a two-tier system of governance. This system has worked in an uneven way. In the Cape Metropolitan Area the functions and power agreement has in some cases led to vagueness and territorial disputes between the Cape Metropolitan Council and the Local Councils. The municipalities in the Cape have gone through a major restructuring process which led to redistributive and integrated development planning being delayed. It is very unlikely that the municipalities have the capacity to go through another exhausting process and substantially upgrade services. According to Cameron (1999:284) a retention of the two-tier system is the most advisable option, with however, a refining of the powers and functions agreement, with the transfer of more responsibility to the Metropolitan Council.

The Greater Johannesburg Metropolitan Area municipalities, despite major restructuring remain relatively central. There are no fully functional Metropolitan local councils as in Cape Town. Poor financial management has increased the degree of centralisation. It seems that the creation of a megacity for the Johannesburg Metropolitan Areas would mean less administration disruption than anywhere else in the country. A megacity option although not desirable in all aspects seems to be the only feasible option for the Greater Johannesburg Metropolitan Area.

In the Durban Metropolitan Area the idea of a megacity replacing a relatively well-functioning system does not seem to be a good idea. Nevertheless, the Government has decided to adopt the unicity idea from Metropolitan Toronto, and by the end of 2000 all redemarcated areas will be legally compelled to adhere to it.

## CHAPTER 6

### CONCLUSION

Since the inception of the first metropolitan planning institution earlier in the twentieth century, cities worldwide have adopted policies and strategies that complemented their unique circumstances. These policies have been adapted over the years to enable the implementation of metropolitan governance and planning systems, and also to find ways to address the challenges present in the urban areas of the world.

In spite of the relative success and popularity of metropolitan government and management structures, some major world cities have opted not to institute a formal body, which would be responsible for addressing the various challenges with which cities are confronted. Metropolitan governments have hardly ever been used in the USA, with the exception of Portland Metro and Minneapolis, St. Paul, which are the only cities with directly elected representatives in the States. With the exception of Quito, Ecuador there is not one effective metropolitan government in Latin America, while the presence of any form of metropolitan government in most developing countries is a rare occurrence. However, these institutions have been used *inter alia* in Canada, England, Holland, Denmark and Spain.

Recently both London and Toronto opted for more structural changes in their form of metropolitan management, in the hope of creating more sustainable urban environments with the capacity to deal with problems inherent in their previous forms of metropolitan governance. London will continue to implement a form of the two-tier metropolitan model, only this time with more defined duties and powers to the Mayor, while Toronto adopted a single city government in 1998 after decades of practicing the two-tier form of governance.

South Africa has had some major developments in the arena of metropolitan management and planning since the inception of the first form of metropolitan planning

in the 1940's, arriving at suitable strategies in the past, has often depended on the options tried and tested in the world's greatest urban areas, most notably that of London and Toronto.

The introduction of the Joint Town Planning Committees in 1940 and the Regional Services Councils in 1986 were two of the more important developments in the history of metropolitan planning in South Africa. Although both these institutions went some way in addressing the metropolitan problems at the time, especially the Regional Services Councils, they failed in many ways, as a result of the race-based policies implemented during the 1940 – 1990 period.

With the completion of the first democratic National elections in 1994 and the subsequent Local Government elections in 1995, the road to democratic local government – for the first time in South Africa – was started. Six metropolitan areas, four in Johannesburg and one respectively in Cape Town and Durban, were proclaimed, and according to the options set out in the White Paper on Local Government (1998) each of these areas adopted a two-tier form of governance.

Since the introduction and implementation of these options, local authorities in South Africa have been, in a state of transformation and reorganisation. The two-tier form of governance, with the exception of as few problems here and there, proved to be relatively successful in both Cape Town and Durban. Greater Johannesburg Metropolitan Area was however, less successful. Structural, financial and management problems forced the National Government to use Johannesburg as a platform to “advertise” the “advantages” of a megacity. Consequently, after many debates and opposition from other metropolitan councils as to the viability of amalgamating local authorities, National Government legally enforced it through the Local Government Municipal Structures Act (117/1997). Unicity governments are to be instituted by the end of 2000 after local government elections.

It is hoped that this form of governance, which will consist of an overall, metropolitan tier and local councils - represented through ward councils, will eradicate the problems created by the former system of governance as well as present metropolitan problems. It is hoped that the Unicity Government will facilitate the redistribution of financial resources from richer to poorer communities in a more sustainable manner, but how they will accomplish this remains to be seen since the basis of the financial resources will stay the same.

What also remains to be seen is how the ward system will achieve and ensure community accountability and participation. Since these bodies will have no executive, decision-making and legislative powers, they will only work in an advisory capacity, emphasising the idea that the Government is only creating an illusion of ensuring access to the political process to the public. The number of councillors, compared to the number of citizens in each metropolitan area, means that a large number of the population will be hugely "underrepresented" in local government. This compromises local democracy and will create a system that will be too big to be concerned about the needs, wishes and opinions of the people on the ground. It is often argued that democracy requires government to be accessible and responsive to citizens. Few authors disagree that smaller units of government produce more responsible political leaders, it makes participation easier and produces clear majorities to assist in local decisions. This is in contradiction with the megacity idea of creating bigger local councils and it remains to be seen whether community participation within this system, will work.

Thought has to be given to alternative methods of metropolitan management than the institution of a Unicity and the extensive reorganisation, reshuffling and unbundling of staff and assets as well as the resulting costs that will go with this process. Perhaps it would have been wiser to keep the two-tier form of government where it worked the best (Cape Town and Durban) only addressing the structural problems in the system, while maybe adopting the Unicity approach in areas that could benefit more by it (Johannesburg).

The implementation of future policies concerning urban areas has to be done with the needs of urban communities at heart as well as keeping planning principles – spatial or otherwise – in mind. How well the Uicity Government will succeed (or fail) in doing this, remains to be seen in the coming years. The success of local government also depends on the outcome of the restructuring period that will only start by the end of 2000, and also to what extent local government will be capacitated and empowered to provide an enabling environment for service delivery.

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## **ANNEXURE 1: LIST OF INTERVIEWS:**

### **CAPE METROPOLITAN AREA:**

1. Micheal Brewis, Head Directorate – Local Government
2. Robert Cameron, Associate Professor in Public Management in the Department Political Studies, University of Cape Town & Demarcation Board Member
3. Mr. Christians, Administration Secretary to the Minister of the Executive Council of Local Government in the Western Cape
4. Cameron Dugmore, Spokesperson for the African National Congress, Western Cape
5. Stewart Fisher, Chief Executive Officer of the Cape Metropolitan Council
6. Patrick Mc Kenzie, Minister of the Executive Council of Local Government, Western Cape

### **GREATER JOHANNESBURG METROPOLITAN AREA**

1. Muff Anderson, Chief Executive Officer – Communications
2. Mr. Collins, Personal Assistant to the Chief Executive Officer of the Greater Johannesburg Metropolitan Council
3. Karen Fortman, Urban Planner , Greater Johannesburg Metropolitan Council
4. Alan Mabin, Associate Professor in Town and Regional Planning and Director of the Development Planning Research Group, Witwatersrand University, Johannesburg

### **DURBAN METROPOLITAN AREA**

1. S. Reddy, Professor in Public Administration, University of Durban-Westville
2. Jackie Subban, Urban Strategy Department in Durban Metropolitan Area