

# BA-PHALABORWA MUNICIPALITY: THE PLIGHT OF RURAL MUNICIPALITIES: A CASE STUDY

*By Yul Davids*

# BA-PHALABORWA MUNICIPALITY: THE PLIGHT OF RURAL MUNICIPALITIES

## **1** CASE STUDY

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## 1. Background and Introduction

The Ba-Phalaborwa Local Municipality (the Municipality) forms part of the Mopani District Municipality and is located in the north-eastern part of the Limpopo Province. Ba-Phalaborwa is one of five local municipalities in the district. The seat of the Ba-Phalaborwa Municipality is in the town of Phalaborwa, which is adjacent to the Kruger National Park. The towns of Namakgale, Lulekani and Gravelotte are also part of the Municipality (Ba-Phalaborwa, 2020b).

Ba-Phalaborwa was established as a category B municipality as prescribed by the Municipal Structures Act 117 of 1998 and has a collective executive system guided by section 2(a) of the Northern Province Determination of Types of Municipalities Act of 2000. The name of the Municipality was derived from local baSotho speaking inhabitants and means “better than the south” (Ba-Phalaborwa, 2020b).



Figure 1: Entrance to Ba-Phalaborwa

The town owes its establishment in 1951 to the start of mining activities to exploit the Palabora Igneous Complex where phosphate rock (foskorite and pyroxenite) is mined by the Foskor mining company (Ba-Phalaborwa, 2021). The Municipality reported on their continued healthy relationship with strategic partners in the mining community which include the Palabora Copper, Foskor and Stibium mines (Ba-Phalaborwa, 2020b). Foskor has, from September 2014 to August 2019, spent a total of R35 million on projects that benefited the Ba-Phalaborwa community (Foskor, 2021). Through its Social and Labour Plan, the company has invested in four projects that benefited the community. These include the upgrading and refurbishment of the electricity network in Phalaborwa, the establishment of a new landfill site, rehabilitation of streets in Ba-Phalaborwa, as well as the construction of the Makatikele Primary School. It is also reported that Foskor has assisted the Municipality by virtue of equipment and skills offered by the company (Foskor, 2021).

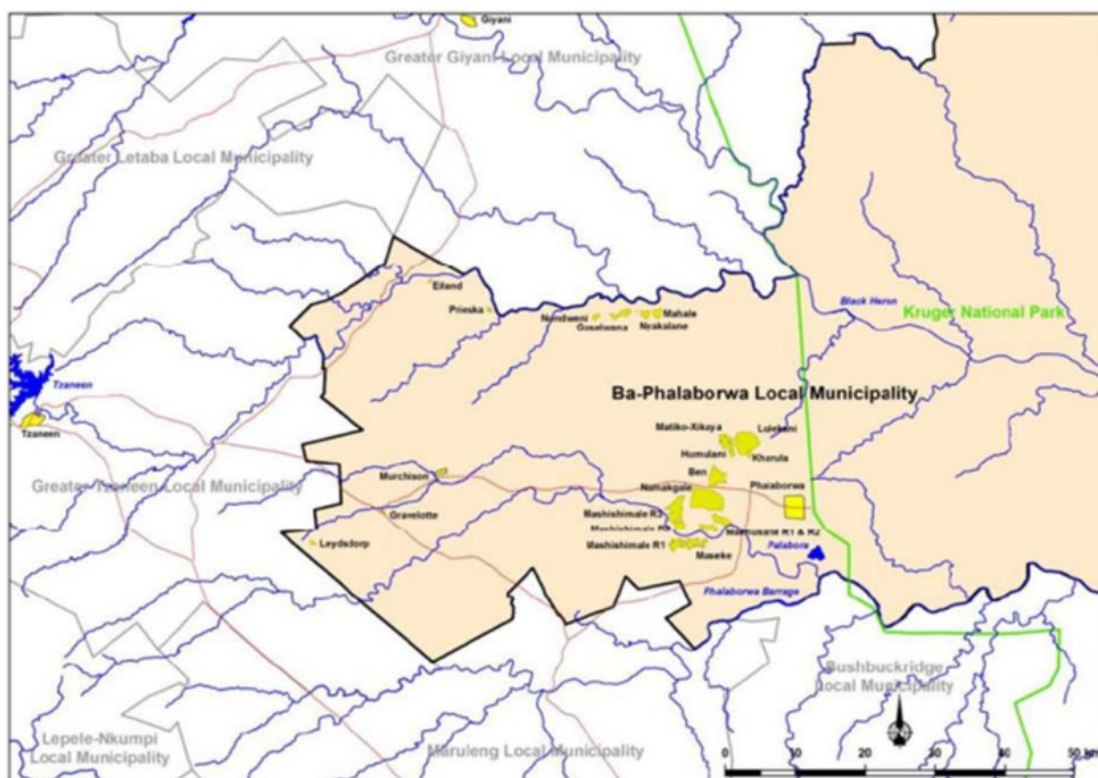


Figure 2: Ba-Phalaborwa Local Municipality Map

Source: Braid, Rousseau & du Toit, 2017

The Municipality covers an area of 7462 km<sup>2</sup> of which 27% comprises farms that are used mainly for game and citrus farming. Tribal land under the control of five traditional authorities (Ba-Phalaborwa Traditional Authority, Maseke Traditional Authority, Makhushane Traditional Authority, Selwane Traditional Authority and Majeje Traditional Authority) also covers a significant proportion of the area (Ba-Phalaborwa, 2021).



*Figure 3: Foskor mining infrastructure*

The Ba-Phalaborwa municipal council consists of thirty-seven councillors who are elected in terms of a mixed-member proportional representation system. Nineteen of the councillors represent wards, with the remaining eighteen chosen from party lists (Ba-Phalaborwa, 2020).

Information available from the Statistics South Africa's (StatsSA) Community Survey for 2016 indicates a total population of 168 937 for the municipal area. There are 49 100 households residing in the Municipality with an average size of 3.4. Female headed households comprise 38.9% of households, and 96.7% of all households live in formal dwellings. Most of the population is Black African (94%) with other population groups making up the remaining 6%. The unemployment rate for the areas was recorded at 37.4%. Even more worrying was the elevated youth unemployment rate at 50.2% (Municipalities of SA, 2021c).



Access to basic services in the areas varied widely according to StatsSA (2016) with 98.1% of households having access to electricity for lighting purposes. However, one in three households (30.6%) did not have access to piped water in their home. Sanitation services are also limited, with only 36% of household having access to a flush toilet connected to the municipal sewerage system. A significant percentage of households must contend with using pit toilets (61%). Less than half of households (39%) had access to a weekly public refuse removal service (StatsSA, 2016).



Figure 4: Namakgale Township

The Ba-Phalaborwa vision is to provide quality services for community well-being and tourism development (Ba-Phalaborwa, 2021). The mission statement is in line with the objectives of government as stipulated in Section 152 of the Constitution, which requires democratic and accountable government for local communities provision of sustainable services, promotion of social and economic development, financial viability, sound administration and accountable governance.

It is against this background that the Ba-Phalaborwa case study examines challenges that the Municipality faces in its quest to deliver quality services to local communities. Particular attention is paid to the service delivery challenges which impact on the social and economic development of the Municipality and the well-being of its citizens.

Similar to many other smaller municipalities, Ba-Phalaborwa is also faced with the triple challenges of poverty, inequality and unemployment. The Municipality aims to address these challenges through infrastructure development and delivering quality services to jump start and reignite the local economy and to restore the dignity of its citizens (Ba-Phalaborwa, 2020b).



Figure 5: Phalaborwa residential area

## <sup>1</sup> 2. Political and Administrative Management

Ba-Phalaborwa Municipality is currently led by Mayor Cllr MM Malatji from the African National Congress (ANC). The ANC dominates the council with 26 seats, while the Economic Freedom Fighters (EFF) has 6, Democratic Alliance (DA) 4 and Congress of the People (Cope) has 1 (Government Handbook, 2021).

<sup>2</sup> The Municipality has established ward committees in all 19 municipal wards as demarcated during the 2016 local government elections. The ward committees are reported as fully functional according to the 2020/21 Ba-Phalaborwa IDP report and submit monthly reports to the Public Participation Manager in the office of the Speaker. All ward committee members have received training funded by the Limpopo Department of Cooperative Governance, Human Settlements and Traditional Affairs to assist with the carrying out their responsibilities (Ba-Phalaborwa, 2020b).

A mentioned previously, five traditional authorities are contained within the borders of the Ba-Phalaborwa Municipality, viz. the Mashishimale, Maseke, Majeje, Makhushane, and Selwane Traditional Authorities. The Municipality reportedly has a good working relationship with the five local traditional authorities despite differences over land management and demarcation of new sites and stands (Ba-Phalaborwa, 2020b).



Figure 6: Ba-Phalaborwa municipal offices

## 2.1 Staff and Capacity Development

For the period 2014-2020 the staff complement of Ba-Phalaborwa Municipality showed little change, with the number of employees ranging from a low of 380 staff members in the 2018/19 financial year to a high of 412 in 2019/20. Worrying, however, are the significant vacancy rates for this period, which increased from a low of 35.79% in 2014/15 to a high of 45.25% in 2018/19, although there was an improvement in the following year. Markedly, staff numbers have been stagnant over the last 6 years with no significant growth reported despite a 2.61% per annum population growth among the local population (Government Handbook, 2021). This is likely to add to the existing burden on Ba-Phalaborwa staff to serve the development needs of a growing community.

Table 1: Vacancies within Ba-Phalaborwa

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
<b>Total Vacant Employee Positions</b>	228	277	294	331	221	243
<b>Number of Approved Posts</b>	637	688	682	683	694	655
<b>Number of employees</b>	409	411	414	401	380	412
<b>Total Vacancy rate %</b>	35.79%	40.26%	39.29%	39.30%	45.25%	37.09%

Source: Government Handbook, 2021

An overview of the filling of managerial positions over the period 2014 to 2020 shows that there have been several periods with high vacancy rates. During the 2014/2015 financial year, four out of six managerial positions were vacant, which implies that not even half of the managerial positions were filled, but in 2017/2018 and 2018/2019 all managerial positions were filled, with a total number of 6. However, this changed in 2020 when several managerial positions became vacant once again.

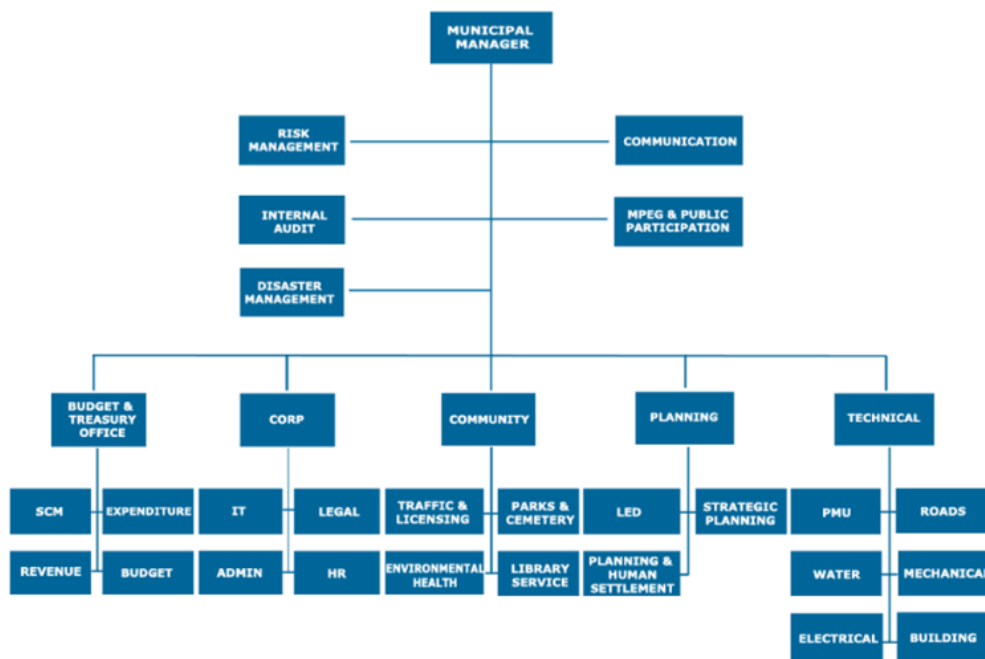


Figure 7: Ba-Phalaborwa municipality organogram (Ba-Phalaborwa, 2021)

The Municipality's organogram in Figure 7 provides the most up-to-date structure of the Municipality, which accommodates a staff complement of 655. However, according to the most recent available numbers, only 412 positions are filled, with the remaining 243 being vacant (Government Handbook, 2021). During 2020/2021, most senior managers were employed in acting positions, except for the Municipal Manager and manager in the Municipal Manager's office (Personal Interview, 2021). Advertisements for permanent appointments for positions such as Chief Financial Officer, senior manager: Corporate Services, senior manager: Community and Social Services, as well as senior manager: Planning and Development were published only during the latter part of 2020.

Large numbers of vacancies and delayed appointments at managerial level may have a significant detrimental effect on service delivery performance at the Municipality. The Ba-Phalaborwa Local Economic Development Strategy (2014-2019) report also highlights the consequences of a high rate of staff turnover in key strategic positions which weakens the strategic capacity of the Municipality to deliver consistent and reliable services. Negative implications include that new staff must be trained to meet the required level of skills for positions. This requires repeated financial resource investment to meet training objectives.

Despite limitations to growing their staff complement, Ba-Phalaborwa must cope with serving an ever-increasing population. The Municipality will therefore significantly benefit from the upskilling of employees through MFMA programmes (sponsored by Conditional Grants such as the Finance Management Grant) and a municipal bursary scheme for other types of training. Several senior staff members have attended Municipal Finance Management Programme (MFMP) training. Minimum competency regulations prescribed by the Municipal Finance Management Act (MFMA) make it compulsory for senior officials such as Municipal Managers (MMs), CEOs, CFOs, Heads of Supply Chain Management (SCM), Senior Managers and Middle Managers to have the required skills and training (SA Government, 2003).

Moreover, the municipality successfully implemented a MFMA programme with nineteen (19) learners attending the programme during the 2015/16 financial year. Employees who attended training under this programme included 2 councillors, 1 senior managers, 10 financial interns, and a combination of employees and financial staff, which accounted for the remaining 6 learners (Ba-Phalaborwa Annual Report, 2015/2016: 100).

The Municipal Manager has attended a MFMA certificate course in financial management to comply with the minimum prescribed competency level requirements applicable to municipal managers. The Municipality also successfully implemented a MFMA programme during the 2018/19 financial year for thirty learners. The learners comprised fourteen councillors and sixteen employees, all of whom successfully completed the course and received their certificates of competency (Ba-Phalaborwa, 2019).

The Municipality's Workplace Skills Plan assisted post-level two managers to attend the Municipal Finance Development programme to improve their financial management skills. The 2020 Integrated Development Plan (IDP) review also reported that the skills base of the Municipality benefited from several specialised training programmes implemented across the different line functions.

During the 2018/19 fiscal year, Ba-Phalaborwa Municipality recruited twenty three (23) new employees (Ba-Phalaborwa, 2018/19). It was also reported that the Human Resources department completed and implemented the Workplace Skills Plan within deadlines provided by the LGSETA. The Municipality has a Bursary Programme that assists municipal workers to improve their skill levels. Of concern, however, is that a total of twenty five (25) bursaries were awarded during the 2018/19 financial year but that only fifteen (15) students were able to effectively utilise this opportunity to improve their skills (Ba-Phalaborwa, 2019).

<sup>6</sup> KwaZulu-Natal Cooperative Governance and Traditional Affairs MEC Nomusa Dube-Ncube cautions <sup>3</sup> against the notion of always equating training with capacity building at municipalities. She argues that 'while training is part of capacity building, training on its own may not strengthen the capacity of a municipality' (KZN CoGTA, 2018). It is therefore prudent <sup>3</sup> that capacity building needs to be viewed in its entirety. This will, first and foremost, include the appointment of adequately skilled personnel and, secondly, paying particular attention <sup>3</sup> to institutional capability by ensuring that there are sufficient resources in place. This will include <sup>3</sup> human resources, equipment, vehicles, organisational structures and

policies that are well aligned with Integrated Development Plans (IDPs), as well as powers and functions of municipalities (KZN CoGTA, 2018).

## 2.2 Audit Track Record

Vacant positions may have played a significant role in Ba-Phalaborwa's poor audit outcomes and challenges with providing adequate services to people. The long history of poor audit outcomes by Ba-Phalaborwa eventually culminated in investigations into maladministration in 2021 (Sadike, 2021). The Democratic Alliance (DA) in Limpopo has welcomed the focus by the Directorate for Priority Crime Investigation (DPCI / Hawks) on the Ba-Phalaborwa Local Municipality after the Auditor-General highlighted irregularities in procurement processes during the 2018/19 financial year, as shown in Table 2 below, which include that:

- Some bid documentation did not stipulate the minimum threshold for local production and content as required by the 2017 Preferential Procurement Regulations.
- Reasonable steps were not taken to prevent irregular expenditure and the expenditure disclosed does not reflect the full extent of the irregular expenditure incurred. The majority of disclosed irregular expenditure was caused by non-compliance with SCM processes.
- Supply Chain Management (SCM) role players whose partners had a private or business interest in contracts awarded by the municipality participated in the process relating to that contract in contravention of SCM processes.
- The Municipality further failed to investigate R99 659 596 of unauthorised expenditure by wilfully defying internal controls (Ba-Phalaborwa, 2019).

Table 2: Ba-Phalaborwa Audit Outcomes from 2015 to 2020

Period	Audit Outcomes (all values: R'000)
2015-2016	Disclaimer of audit. Irregular expenditure of R117 was incurred for this year. Unauthorised expenditure of R13 489 for this year.
2016-2017	Disclaimer of audit. Irregular expenditure of R16 545 for this year
2017-2018	Qualified audit. Irregular expenditure of R37 361 for this year and unauthorised expenditure of R68 676 for the financial year.
2018-2019	Qualified audit. Irregular expenditure of R35 505 for this financial year with unauthorised expenditure of R99 660 on non-cash items.

Source: Government Handbook: Municipalities of South Africa (2021a).

Due to accusations of fraudulently awarding tenders, the DA wanted Municipal Manager Maite Moakamela suspended in 2018. This came after the Ba-Phalaborwa Municipality spent close to R30 million in illegal, inefficient, and fruitless spending in the 2016/17 financial year, according to an Auditor-

General's report (Baloj, 2018). The DA has recently demanded that officials responsible for the R30 million tender fraud, which is still being investigated, be held accountable for their conduct (Sandike, 2021).

According to Sandike (2021), the Hawks in Limpopo <sup>5</sup> are still <sup>8</sup> investigating corruption and maladministration related to tenders worth R30 million in the Ba-Phalaborwa Municipality. This is after the Auditor-General revealed financial mismanagement and maladministration of R450 million over the previous two years, as well as the 'inability' of the local municipality to investigate R99.6 million in unauthorised expenditure.

The latest available Ba-Phalaborwa Annual Report (2020a:7) stated that the Municipality has implemented an Audit Action Plan as advised by the Auditor-General and that the Municipality is confident that it will receive a clean audit due to reduced unauthorised, irregular, and fruitless expenditure due to improvements in good governance of supply chain processes.

### 3. Service Delivery Constraints and Community Protest

Many of the service delivery constraints experienced by the Municipality are due to reasons very similar to those experienced by many other local municipalities, such as financial instability and high staff vacancy rates. In the latest publicly available annual report, Ba-Phalaborwa (2019/20) reported on key strategies to maintain and improve service delivery with the provision of refuse collection, electricity and water provision, access to roads and other services. However, budget constraints led to the cancellation of several planned local economic development projects. In this report, it was stated that the Covid-19 pandemic had had a devastating impact on the economy of Ba-Phalaborwa, as well as on the health and livelihoods of residents. Despite the crises, the Municipality continued to provide essential services to citizens. It reported that the sharp economic downturn brought about by the pandemic has affected the Municipality's revenue collection. It also reported that several small businesses have closed and that income losses by residential users led to defaulting on property rates and service revenue collection (Ba-Phalaborwa, 2020a).

Key challenges listed for the 2019/20 financial year included (Ba-Phalaborwa, 2020a):

- Low collection of revenue for property rates and service provision
- Elevated cost of repairs and the maintenance of aged infrastructure
- Increased household debts because of non-existent tenants or deceased persons.
- Difficulties with implementing changes and updates to laws and regulations.
- Incorrect or false information provided by indigent applicants.
- Illegal water connections in villages and townships
- Aged water infrastructure leading to service interruptions.

### 3.1 Water and Sanitation

The Ba-Phalaborwa IDP report for the year 2017 reflects on some of the complications of water service delivery in Ba-Phalaborwa (Ba-Phalaborwa, 2017). Multiple water service providers, which include the Water Service Authority (WSA) of the Mopani District Municipality and Ba-Phalaborwa Water Services, creates confusion among users and affects the Municipality's ability to provide water efficiently. According to service delivery data, the Municipality did not have infrastructure to supply water to its inhabitants in the previous year 2016/2017, but it now does. However, the issue is how effective and adequate this infrastructure is in providing the desired services, also the municipality is not responsible for providing this service (Government Handbook: Municipalities of South Africa (2021b)). The Municipality not being the water authority is a challenge in ensuring the provision of water for its residents. Water and sanitation infrastructure capacity in Phalaborwa Town is reportedly very old and in dire need of a large-scale upgrade to be able to cope with development and an increase in the number of users (Ba-Phalaborwa, 2020b). The town's water purification plant is being upgraded in stages, as is the bulk water supply line. This should enable the Municipality to upgrade its capacity to provide water services to the whole of Ba-Phalaborwa. The purification plant in Selwane has been upgraded from a processing capacity of 1 ML to 4.7 ML of used water (Ba-Phalaborwa, 2018). Despite the gradual upgrading of infrastructure, multiple alerts and notices by the Municipality informing users about disruption of water supply in Ba-Phalaborwa have been reported. According to the Ba-Phalaborwa IDP (2017) report, water disruptions are caused by citizens who vandalise the water infrastructure and by asbestos and clay water pipes bursting due to old age. These disruptions have a significant impact on tourism in the area, as can be seen from Fig 8 in which guests are warned of frequent water interruptions.

The Democratic Alliance (DA) says it will write to the Public Protector to request an urgent investigation into alleged irregular borehole developments by the Mopani District Municipality (MDM). According to DA councillor in the MDM, Marie Helm, the Municipality has spent millions of Rands on borehole development since 2017 and this was done without future planning for sustainable water provision for all the communities. She said: "R122 million was budgeted for and during the February 2017 Adjustment Budget it was topped up with a further R32 million. The DA was very concerned that the municipality spent so much money on this because the council received no corroborating reports on the number, GPS positioning and other vital information for these boreholes. We are further concerned that there was no justification for these boreholes or how our communities benefit from these allocations," (Letaba Herald, 2021)





Figure 8: Guesthouse water notice

Source: GovServ.

### 3.2 Electricity Supply

The Ba-Phalaborwa Municipality has been granted a license by the National Electricity Regulator to supply electricity within the limits of the old Phalaborwa district. However, ESKOM holds the license for all outlying areas within the Municipality. Electricity infrastructure has been reported as very old and in urgent need of refurbishment. The Municipality stated in its IDP report of 2020-2021 that it has commenced with the required refurbishment needed to upgrade electricity distribution infrastructure (Ba-Phalaborwa, 2020b). Within its financial constraints, the Ba-Phalaborwa Municipality has undertaken to improve the quality of services that Ba-Phalaborwa residents receive. Providing free electricity to indigent households has been reported as challenging due to its impact on the Municipality's ability to efficiently provide electricity as a basic service to all its people (Personal Interview Ba-Phalaborwa, 2021). It should be noted that only a small proportion of households received free basic electricity (see later in this section we reported that only 1421 households received free basic electricity). Because power24, a private electronic services vendor buys Ba-Phalaborwa electricity tokens from a third-party vendor, the token the residents receive is the same as that which power24 receives from this third-party seller (Power24, 2021). Electricity tokens are therefore available for easy purchase by residents with internet

access without having to pay any additional fees. The Inclined Block Tariff system is used by the Municipality, which means that the more electricity the residents purchase during a calendar month, the more they pay per unit (Power 24, 2021).

Ba-Phalaborwa has in the recent past seen violent protest action which has also impacted on other services in town. Most of the protest actions have been due to the poor state of water and electricity services in Ba-Phalaborwa, which saw protestors using burning tyres barricades to block major access routes to Phalaborwa such as the R71 and R40 (McCain, 2021). As noted above, according to the latest IDP report, the Municipality is licensed to supply electricity within the boundaries of the Phalaborwa town area. All other out-lying areas are serviced by Eskom. This includes areas such as Namakgale, Lulekani, and the villages of Makhushane, Selwane, Nondweni, etc. Most of the households in these areas (42 316 households) have access to electricity (Ba-Phalaborwa, 2020b). A backlog of 746 households was reported in the 2020/21 Ba-Phalaborwa IDP report. Of the total number of households, only 1421 indigent households are registered to receive free basic electricity (Ba-Phalaborwa, 2020b). For example, it is reported that the last few years has seen the Municipality experience numerous network failures which resulted in a loss of electrical supply for extended periods to large sections of the town (Foskor, 2021). The failure of the Selati 33/11kV Main Intake Substation, which impacted the entire town, led to Foskor consulting with the Municipality to devise a durable solution to the ongoing electricity supply problems. A survey was commissioned and funded by the Municipality, the results of which proposed the urgent upgrading and refurbishment of the electricity network and the Selati 33/11kV Substation. Foskor assisted with the funding of some of the necessary upgrades through their Social and Labour Plan (Foskor, 2021).

#### 4. Empirical findings

The qualitative empirical findings are based on key stakeholder interviews that were conducted with public officials working at Ba-Phalaborwa Municipality. The HSRC subscribes to an ethical process that affords full anonymity to participants in the study. Key informants are therefore referred to as 'a respondent', 'one respondent', etc., in the analysis. During the interviews, a structured questionnaire schedule was used which contained fourteen questions representing several thematical areas. These areas include governance and performance of the municipality, organisational culture, infrastructural and human resources availability, personal needs, training and skills development, and community engagement. These thematic areas and supporting subthemes will guide the analysis which follows.

## 4.1 Governance and Performance

### Challenges to improved service delivery

All five respondents interviewed highlighted challenges that Ba-Phalaborwa and other municipalities face with delivering services to their residents. One respondent reported on the challenges of unemployment and poverty, which leads to the non-payment of services that, in turn, results in services that are either degraded or are not provided at all.

Most respondents also reported limited availability human and financial resources for delivering reliable services. One respondent believed: *“We are struggling. It is as good as eating from the hand to the mouth; we cannot even say that we have reserve resources to deal with emergencies”*.

Human resources posed several challenges, with reference to a lack of capacity and shortages of staff in critical positions. In addition, three respondents referred to *“incapable”* municipal officials that may not be adequately or appropriately qualified for the positions that they hold, which leads to poor service delivery. The length of contracts of senior officials was also touched upon within this context. In the words of one of the respondents:

*“You find that when you are a senior manager you don’t know anything and the appointment is for five years, so the first three years you are still learning and getting use[d] to the environment and the fourth and fifth year they (the Municipality) have to find a new person coming to learn again”*.

The belief was shared that granting permanent contracts and developing the skills of your *“own”* officials may resolve this problem. Corruption was also listed as a major challenge that municipalities face in the context of poor service delivery. This comment may be viewed in the context of, for example, the VBS Bank fraud and corruption case which totalled R1.2 billion, including municipal investments and affected service delivery in 16 municipalities (Fengu, 2019).

### Performance of the municipality

All five respondents acknowledged that limited financial resources are having a major impact on service delivery at Ba-Phalaborwa. A quote from one respondent provides a good summary of Ba-Phalaborwa’s financial situation:

*“The only challenge is budget. We got an unfunded budget and when you have an unfunded budget you cannot do anything”* and *“the systems are there, the plans are there, but the municipality cannot function to its maximum because of the unfunded budget”*.

Contributing to this problem are the Municipality’s challenges with revenue collection. According to one respondent, this severely affects the functionality of the Municipality and its ability to provide services. In

the respondent's own words: *"Because if we are not collecting, we are affected by not giving quality service delivery to our communities"*.

One respondent believed that research could help the Municipality to arrive at better strategies to assist with educating communities and identify creative ways to reach agreements between the Municipality and the community to pay for services.

Of concern was the opinion that there may not be reserve resources to deal with emergency situations. Mention was also made of the difficulties faced when having to respond to complaints concerning burst water pipes due to ageing infrastructure, which sometimes requires a total rehabilitation. This comment has a bearing on the problems that Ba-Phalaborwa faces with a reliable water and sanitation supply, which has resulted in protest actions by residents. Residents' dissatisfaction with what they consider to be poor service delivery again draws attention to non-payment for services.

Despite challenges, the attitude of most of the respondents was positive as they claimed that they are doing the best they can with the grant that they receive from national government. In the words of two respondents: *"Every financial year we make sure that we deliver something"* and *"We are doing our best to give them electricity and the same goes for the roads; we're doing our best"*.

However, some challenges stem from factors over which the Municipality has little control. One example cited is that of population growth in the Ba-Phalaborwa area. Townships and villages have grown in population and size, and exceed the capacity and ability of infrastructure to provide reliable water and electricity services to communities. Development in the town, such as the newly constructed FET College, has also placed additional demands on existing water and electricity infrastructure.

### **Contextual factors impacting on service delivery**

Several contextual factors were listed by respondents as having an impact on service delivery in Ba-Phalaborwa. The most-cited factor impacting on service delivery since 2020 has been the Covid-19 pandemic. Respondents claimed that Covid-19 has aggravated challenges with the provision of services in several ways. Firstly, there has been an increase in the unemployment rate among residents due to employers going out of business as a result of various lockdown measures. Unemployment has also led to community unrest in which people demand by force to be employed at the local Palabora Copper and Foskor mining companies (Tshivhase, 2021). The high unemployment rate has also contributed to other social ills, such as an increase in crime.

Secondly, Covid-19 has also impacted on the availability of The Municipality's human resources. It was said that:

*"Yes, Covid has affected us big time. Now because we have social distancing, we have teams, we are having 20 people but now must take them to around 8, so we were supposed to be doing other activities. Our turnaround time is slow now. The people that are above 60 and those with co-morbidities are at home. Some of them are skilled, but they cannot be outside,*

*so they are using the telephone. It is a challenge since we cannot expose them to death with this killer disease. I think I can say that we're not delivering according to our plan."*

Political interference was listed by one respondent as of particular concern given its impact on service delivery. As put by the respondent:

*"Sometimes political interference is one of the major challenges. It destabilises administration which requires specific things to function well. It also limits innovative management. You end up subjecting yourself to an instruction even though you can see the reality that needs to be implemented."*

In an environment of scarce resources, "tribalism" has also impacted on service delivery at the Municipality. Both Tsonga and Shangaan communities reside in the Ba-Phalaborwa area and there is regular competition between people from these two communities when demanding the provision of services. This competition also plays out when contracts are awarded to specific individuals from these communities. The words of a respondent articulated it very well: *"there are certain groups in this area who think that they own the municipality. If you do not do what they want than they will be protesting."*

The rural location and remoteness of Ba-Phalaborwa is a significant constraint to the delivery of municipal services there in more than one way. The large area that needs to be serviced and rural nature of the Municipality, with an uneven topography, add a layer of complexity to service delivery due to significantly higher costs for providing bulk infrastructure. It is therefore difficult to deliver the same level of services across all areas in the municipality. Furthermore, recruiting the best candidates for positions at the Municipality is also challenging due to the remoteness of Ba-Phalaborwa when competing against larger urban areas for scarce skills.

### **The influence of external role players**

Government departments and external organisations were reported as having a significant and tangible effect on the performance of the Municipality. The nature of these effects is threefold. This first is assistance provided by government departments and institutions, such national and provincial treasury departments, as well as CoGTA's Municipal Infrastructure Support Agent (MISA) and the Department of Public Service and Administration (DPSA). These institutions have played an important role in supporting Ba-Phalaborwa financially, with human resources and infrastructure development. Local mines are considered as good paying customers and very supportive of local development initiatives.

However, respondents indicated that several government departments with offices in Ba-Phalaborwa are not paying for municipal services delivered. For example, a respondent said that:

*"There are departments who are owing the municipality. So, if government is owing government, then it causes problems. We usually do not receive regular payments for services provided to them and in that manner our support system from them also suffers. So, we cannot be financially viable if we provide services and yet those services are not paid for. So those are the major challenges. It is the Department of Education, Health - all those*

*departments are owing the municipality and not paying regularly. They consume a lot of water and electricity and if they do not pay then the municipality cannot move forward."*

The non-payment for services used by schools was highlighted as of particular concern since the municipality cannot discontinue their services.

Also problematic is the fact that national and provincial departments embark on projects without attending Ba-Phalaborwa Integrated Development Plan (IDP) meetings. A good example was provided by a respondent on the implications of a lack of coordination between Ba-Phalaborwa and other government departments. It was said that: *"There is a school that is being built in the middle of the bush. So now the municipality must provide a road, electricity, and water, [but] we have not budgeted for this during the financial year."*

#### **Alignment of policies and procedures to strategic planning**

A question on the alignment of policies and procedures to the strategic planning processes of the municipality elicited various responses from respondents. Two respondents agreed that there is a good alignment between policies and procedures to strategic planning in the municipality. However, one respondent contended that there are instances where there are no policies in place to align with strategic planning and another replied that:

*"I think they are, but they're not yet 100% aligned, because any strategic planning need[s] to align with our vision of attracting people for tourism and sometimes it is not easy for a person who for example is working at water services to know about the tourism strategy and how water provision impact[s] on tourism and health in the municipality."*

## **4.2 Organisational Culture**

### **Organisational culture at Ba-Phalaborwa**

When asked about the organisational culture at the Municipality, several contrasting responses emerged. One respondent believed that there are *"a lot of deficiencies when it comes to ethical standards"*. Political interference was also cited as problematic for the organisational culture at the Municipality. Comments such as: *"culture - it is not stated and depends on who comes onboard and who goes out immediately after a local government election"* and *"politics makes everyone do what they want to do, so the culture is not good,"* were good indicators of such sentiments.

The practice of rotating senior managers every 3 to 5 years was also regarded as problematic with establishing and maintaining a culture of good values and ethics. A solution proposed to this dilemma was that managers be appointed on a permanent basis.

Another respondent analysed the culture at the municipality through a different lens by saying that “the policies are good and are favorable to the employees in terms of development because we have skills development in the municipality which specifically deal with the empowerment of employees” and “we've got good internal controls”.

### **Leadership**

On the matter of leadership at the Municipality, several contrasting views once again appeared. One respondent thought that they had good leadership at the Municipality, both politically and in an administrative capacity.

Another respondent had a different opinion. For example:

*“We currently have acting senior managers in all of our departments. It is only [one senior manager] and the Municipal Manager who are not acting. If you have so many acting managers, then you experience drama, which is orchestrated elsewhere. The current situation is challenging due to an incomplete structure which need[s] to be occupied by qualified officials in relevant departments. So currently we are not doing well because it ends up being a one man show.”*

Leadership was also analysed in terms of their skills. A respondent had this to say about skilled managers at Ba-Phalaborwa:

*“We find that most of the leadership that come, they are not a fully skilled in terms of coming and performing their job and it's affecting the whole municipality. But recently now I'm seeing things are changing because of we've got an AG that monitors all the appointments of senior managers in terms of aligning adverts with skills of applicants. We are improving and the overall performance of the Municipality is improving as a result.”*

## **4.3 Personal Needs**

Job security was cited by respondents as the most significant matter when discussing personal needs. Most of the respondents felt that their job was not secure, with contracts of only five years. Interestingly, another respondent reported being on a shorter contract but did not feel particularly insecure. The reason cited was: “I have got good managers and they give me support and when I need them, they are here. The environment also needs to be good, not just the money.” A good relationship with superiors and a conducive working environment clearly helps with any feelings of potential work security in this instance. Another respondent reported that: “the accounting officer here will take you through everything when you come here as a senior person or manager on what to do or what not to do. We are given information and we feel secure that our wellbeing is well looked after.”

It was reported that middle management officials are the most vulnerable group of employees at the Municipality. The reason for this view is that: *“when things go bad then the fingers go back to the mid-level officials. Sometimes your hands are tied, and job security is not 100%.”*

One respondent suggested alternative means of rewarding staff who are performing above expectations, such as providing them with a holiday or offering time off work when municipalities cannot afford financial incentives.

#### 4.4 Infrastructure and Human Resources

The majority of respondents felt comfortable with the infrastructure and resources that their Ba-Phalaborwa work environment offers. Despite budget limitations, all officials who required IT equipment, vehicles, uniforms and offices to perform their duties did receive the necessary resources to perform their duties. In the words of one respondent: *“we do a feasibility study in terms of giving the person a laptop to work on and be connected to the printer as well [as] providing access to a telephone.”*

The availability of human resources was considered a problem by some respondents. Feedback from two respondents on this matter summarises the dilemma: *“Yes, we do have, although sometimes it is affected by people who go to green[er] pastures. that, we cannot control and as a result it affects the operation of the department.”* This greener pasture is: *“Because of the geographical area of the municipality and the salaries, most of the staff resign to go to Gauteng for better packages and working conditions.”*

#### 4.5 Training and Skills Development

##### Clarity on roles and responsibilities

Four out of the five respondents agreed that staff do get clarity on their roles and responsibilities when joining the Municipality. One respondent provided a thorough overview of the induction process that new employees need to comply with. All departments are required to provide a representative who does a presentation to new staff members. Presentations outline activities and responsibilities of departments. Inductions are reportedly conducted at regular intervals.

A respondent summarised the process by saying that:

*“Every department is invited to come and give induction in terms of all the representatives of the department. For example, in the municipality we have finance, community services, planning, development, the office [of the] Municipal Manager and corporate services. All these departments will have a representative on the day of the induction. Seniors will outline the services that they provide, as will finance, and the office of the Municipal Manager will*



*just give the brief ...overview of what they are doing in their office. Each department will be represented during the orientation exercise."*

Individual managers, with the cooperation of the Human Resources Department, will also brief new employees on their roles and responsibilities. In addition, the annual performance management process offers all employees the opportunity to identify knowledge gaps and shortcomings with the execution of their duties. Training and refresher courses are offered to assist employees to improve their work performance.

One respondent who disagreed with the statement that staff do get clarity on their roles and responsibilities contended that the Municipality did not do well when it comes to clarifying roles and responsibilities. The respondent claimed that managers are not always diligent with informing subordinates on what needs to be done, resulting in staff having to depend on co-workers for this information.

#### **Are staff qualified to do their work?**

Again, most respondents considered most staff as well qualified to do their jobs. It was reported by a respondent that:

*"Because of the AG, as well as policies and internal controls that are in place, we are hiring people with the right qualifications and right skills because whatever we advertise, it must be aligned with what we require. So, I believe we are getting the right people."*

Interestingly, there was a contention that this may not necessarily be the case with all new employees. The example was provided that general workers who are employed as cleaners only need to have a Grade 7 qualification. The manual nature of their responsibilities leads to the assumption that any incumbent has the required skills to do this type of job, but this is not always the case.

The role of the recognised trade union was also highlighted to encourage and assist unionised members to develop their skills and training by improving their qualifications. This positive contribution by organised labour to uplift employees seems particularly noteworthy.

One respondent argued that not all managers in operations were qualified to do their jobs. The reason offered was that managers were not well qualified due to the municipality being a Grade 3 municipality with inferior conditions of service. In the respondent's own words, *"No-one wants to work for a grade 3 municipality, you only go there when you are desperately looking for work."* However, this viewpoint was a generalised one and perhaps an oversimplification of the situation at Ba-Phalaborwa.

#### **Skills development**

Training and skills development are regarded as very important by all the respondents. Statements by respondents such as, *"You cannot substitute for education. Skilled personnel who are used appropriately without interference can produce better quality services"* and *"Well-qualified people will complement*

*everything that you are doing*” clearly show the value attached to education and well qualified staff at the municipality.

Ba-Phalaborwa has a bursary scheme in place which provides all employees with an opportunity to improve their skills in their respective positions. According to one respondent, bursaries are provided for studies at any South African university. However, limitations do apply, with bursaries only provided to applicants in disciplines related to the employee’s current line of work. Several people are reported to have obtained undergraduate degrees and honours degrees. It was also the opinion of a respondent that:

*“All employees need to be motivated to study beyond a master’s degree. You also need to have categories where people don’t qualify for occupying positions at certain levels if they don’t have the required degree. It will ensure that people become skilled.”*

Another respondent believed the Municipality needs to invest more into developing their own technical skills rather than having to pay very high *“professional fees”* to private contractors to embark on projects. This will enable the Municipality to fund more local projects.

The Covid-19 pandemic also posed significant challenges to staff development due to the discontinuation of face-to-face training with staff.

#### **4.6 Community Engagement**

All the respondents were familiar with Ba-Phalaborwa’s Public Participation Unit (PPU), which is tasked with engaging with communities on a variety of matters. The Municipality has an annual public participation Imbizo where the performance of the Municipality is communicated to residents. IDP inputs are also invited from communities on a ward-by-ward basis. According to one respondent, the PPU manages programmes to reach out to all the surrounding communities. They also cooperate with traditional authorities to obtain access and engage with residents in communal areas on their needs and what the Municipality can offer. In the words of one respondent:

*“Our tribal authorities play an important role because we package documents that we deliver to them at them at the tribal offices. They will then use loud hailing to inform the communities that they must come to the tribal office to collect the documents, or they will read it to them. Inputs are submitted to the tribal office and the public participation manager will go around and collect these inputs at tribal offices”.*

These inputs are then communicated to respective departments responsible for delivering services and are also worked into budgets where possible.

Several challenges were highlighted with current public participation processes. It was reported that the current model of reaching out to communities falls far short since many of the most capable community

members such as teachers, businesspeople and police officers do not attend community meetings to provide inputs into IDP processes.

It was also said that the public lacks information and understanding, which leads to them to require or request things that the Municipality is not mandated to provide, such RDP housing. One respondent suggested that communities require proper education on the functions and responsibilities municipalities.

The Covid-19 pandemic had a significant impact on the activities of the PPU, which had to come up with creative and new ways of engaging with communities when face-to-face meetings were no longer an option. A variety of platforms such as the internet, Facebook, radio broadcasts, WhatsApp, Zoom and Microsoft Teams meetings had to be used to provide residents with information. This was considered as problematic since only a limited number of residents have access to technology which enables them to obtain information or provide inputs into municipal planning activities.

## 5. Summary and Conclusion

Ba-Phalaborwa is a rural municipality that covers an area of 7462 km<sup>2</sup>. Similar to many other smaller municipalities, Ba-Phalaborwa is faced with the triple challenges of poverty, inequality and unemployment. The municipal area comprises farms and tribal land under the control of five traditional authorities. Access to basic services in the area varies widely, with 98.1% of households having access to electricity for lighting purposes but 30.6% do not have access to piped water in their home. Sanitation services are also inadequate, with only 36% of household having access to a flush toilet.

Government departments and external organisations have a tangible effect on the performance of the Municipality. The non-payment for services by government departments, and a lack of coordination on national and provincial level projects, impacted negatively on service delivery. A healthy relationship with some government departments and surrounding mines communities benefit the Municipality. A brief look at the Municipality's social media reviews reveals that the majority of reviewers are quite dissatisfied with the Municipality's quality of service delivery. They complain about frequent power outages, overflowing drainage and high levels of corruption.

Many of the service delivery constraints experienced by the Municipality are due to reasons very similar to those that most other local municipalities experience. They include challenges such as financial instability and high staff vacancy figures. Ba-Phalaborwa Municipality has high staff vacancy rates, which varied from a low of 35.79% in 2014/15 to a high of 45.25% in 2018/19. Staff numbers have been stagnant over the last 6 years with no significant growth reported despite significant population growth. Vacant positions have consistently played a role in Ba-Phalaborwa's poor audit outcomes and challenges with providing adequate services to residents. A lack of capacity and shortages of staff in critical positions was also cited as problematic. The long history of poor audit outcomes by Ba-Phalaborwa culminated in investigations into maladministration in 2021.

Despite these challenges, the attitude of most respondents was positive, explaining that they are doing the best they can and that the municipality continues to provide essential services to citizens. It is reported that the sharp economic downturn brought about by the Covid-19 pandemic has affected municipalities' revenue collection, which is worsened by an existing culture of non-payment. Respondents acknowledged that limited financial resources are having a major impact on service delivery in Ba-Phalaborwa and believed that research can support the Ba-Phalaborwa Municipality to come up with better strategies to assist with educating communities and ending the culture of non-payment.

Respondents claimed that Covid-19 has compounded challenges with the provision of services in several ways. Covid-19 posed significant challenges to staff development due to the discontinuation of face-to-face training with staff. Other impacts of the pandemic were associated with activities of the PPU. The Unit had to identify creative and new ways of engaging with communities when face-to-face meetings were longer an option.

Respondents had contrasting views on the organisational culture at the Municipality. One respondent believed that there are several deficiencies concerning ethical standards. Political interference was also cited as problematic to the organisational culture at the Municipality.

On the matter of leadership at the Municipality, contrasting views once again emerged. One respondent thought that they have good leadership at the Municipality. Another thought that new leadership lacked critical skills. The absence of permanent contracts was cited as one of the reasons for this problem and several respondents felt that they lacked job security as a result.

The majority of respondents felt comfortable with the infrastructure and resources that their Ba-Phalaborwa work environment offers, and that staff are adequately skilled, but they were concerned that significant numbers of staff resign for better remuneration and working conditions at larger municipalities.

The positive contribution of organised labour to uplift employees was also noteworthy. Training and skills development was regarded as of particular importance by all respondents. Ba-Phalaborwa also has a bursary scheme in place, which provides employees with an opportunity to improve their skills in their respective positions.

Respondents were aware of the activities of the PPU, which is tasked with engaging with communities on a variety of matters. Several challenges were highlighted with current public participation processes, such as community leaders and businesspeople who do not attend community meetings. Respondents also cited a lack of public knowledge about the mandate of the Municipality and what can be provided. One respondent suggested that communities require proper education on the functions and responsibilities of municipalities.

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