

ANNEXURE 3: PROCESS PLAN

SECTION ONE: INTRODUCTION

The Matatiele Municipality (KZN.5A3) prepared a comprehensive Integrated Development Plan (IDP) in 2000 which underwent a series of reviews until 2006/07 when Matatiele was incorporated to the Eastern Cape as EC5B3. In accordance with section 25 of the Local Government: Municipal Systems Act, Council adopted a new five year Strategic Plan in 2007, (IDP for 2007-2011), which was reviewed for implementation in the 2008/09 financial year. Likewise the Council must prepare for the 2009/2010 IDP review, within the context of the prescribed legal framework outlined below.

1.1 Legal context

The legislative process prescribes that each district municipality must adopt a framework for integrated planning in the area as a whole

In terms of Section 27(2) of the Municipal Systems Act, the Framework binds both the district municipality and the local municipalities established in its area of jurisdiction and the plan must at least cover the following issues:

- *Identify plans and planning requirements binding in terms of national and provincial legislation on the district municipality and the local municipalities or on any specific municipality;*
- *Identify matters to be included in the integrated development plans of the district municipality and the local municipalities that require alignment;*
- *Specify the principles to be applied and co-ordinate the approach to be adopted in respect of those matters; and*
- *Determine procedures:*
 - i) *For consultation between the district municipality and the local municipalities during the process of drafting their respective integrated development plans; and*
 - ii) *To effect essential amendments to the framework.*

The municipal council is also required to adopt a process to guide the planning, drafting, adoption and review of its IDP and that this process must be set out in writing. The process followed must be in accordance with a predetermined programme specifying timeframes for the different steps and make provision for community participation and stakeholder consultation.

This position is reinforced in Section 21(1)(b) of the Municipal Finance Management Act (MFMA) as it makes it incumbent on the mayor of a municipality to table a time schedule to council, at least 10 months before the start of the budget year, outlining key deadlines for the annual review of the IDP in terms of section 34 of the MSA and for the tabling and adoption of any amendments to the IDP

The mayor must also take all reasonable steps to ensure that the municipality revises the IDP in terms of section 34 of the MSA, which states that -

A Municipal council-

- (a) *must review its integrated development plan-*
 - (i) *annually in accordance with an assessment of its performance measurements in terms of section 41; and*
 - (ii) *to the extent that changing circumstances so demand; and*
- (b) *may amend its integrated development plan in accordance with a prescribed process."*

1.2 Elements of IDP development

The IDP reviewal process is mainly geared towards picking up on early-warning sign for corrective action whenever it is required. The Performance Indicators are flowing from the IDP and constitute the heart of the Performance Management System. The above lay the basis for the review of the Integrated Development Plan.

Save for the statutory imperative, it is also necessary for Matatiele Local Municipality to review its IDP in order to:

- Ensure the IDP's relevance as the municipality's strategic plan
- Inform other components of the municipal business processes, including institutional and financial planning and budgeting
- Inform the cyclical inter-governmental planning and budget processes

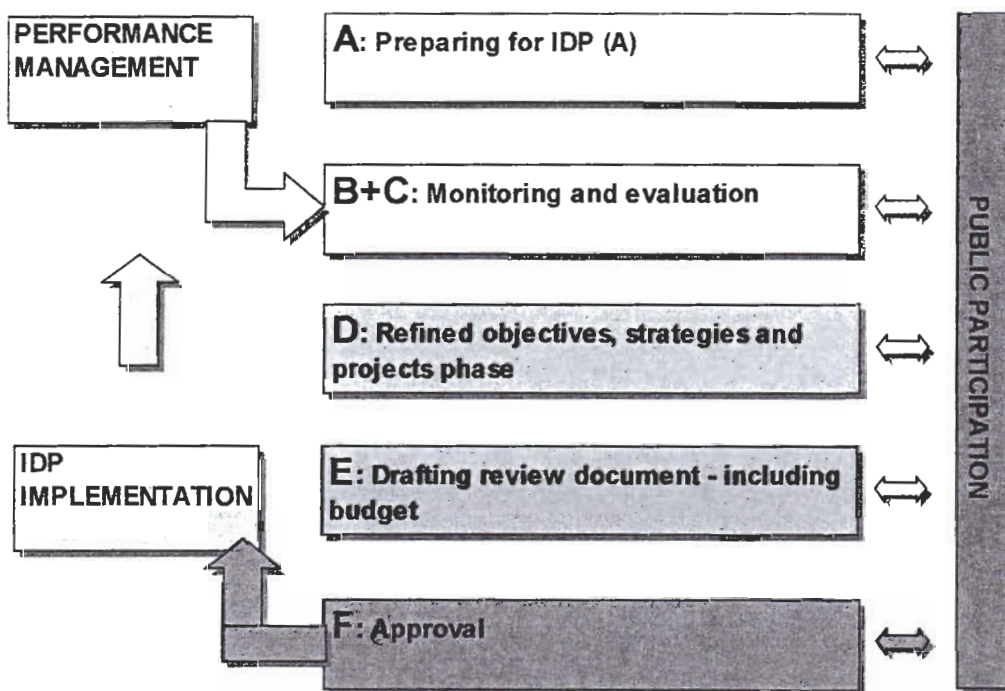
In the IDP review cycle (2009/2010) amendments to the IDP is likely to be influenced by the following-

- Comments from the MEC, if any;
- Incorporation of the most recent descriptive data;
- Review and refinement of the objectives and strategies;
- Review and refinement of the projects;
- Comments and input received from the ward level public participation process;
- Review of the Spatial Development Framework (SDF) to achieve alignment with the SDF of the District and surrounding municipalities, and to reflect the progress made with LUMS;Ps note that the Matatiele LM does not have the SDF but will be finalised by Jan 09
- Preparation and finalization of the annual municipal budget in terms of the relevant legislation;
- Response to changing circumstances; and
- Improving the IDP process and content.

The significant development, which in all probabilities will have a huge impact on the IDP, is the Community Based Planning. The Community Based Planning is a planning instrument, which is geared towards the enhancement of the community participation component of the IDP. Of particular concern has been the inability of the IDP to translate community participation into an organic process.

IDP Methodology

The diagram below outlines a continuous cycle of planning, implementation and review.



Schedule of meetings

In addition to various meetings, the following meetings are required for the IDP Review Process:

Structure	Date	Time
IDP Steering Committee Meeting	02 October 2008	10H00 – 11H00
	23 October 2008	10H00 – 11H00
	27 November 2008	10H00 – 11H00
	15 January 2009	10H00 – 11H00
	12 February 2009	10H00 – 11H00
	26 February 2009	10H00 – 11H00
	08 May 2009	10H00 – 11H00
IDP Representative Forum Meeting	13 October 2008	10H00 – 14H00
	10 November 2008	10H00 – 14H00
	19 February 2009	10H00 – 14H00
IDP/Budget Public Hearings	20 -24 April 2009	10H00 – 19H00

SECTION 2: ORGANISATIONAL ARRANGEMENTS

The IDP Manager will be the Municipal Manager. He is responsible for the overall administration of the IDP Process however, he may delegate some of the tasks to his Head of Departments. Amongst others, the following responsibilities are allocated to the IDP Manager for the IDP Review Process:

- Ensuring that the Process Plan is finalised and adopted by Council;
- Adjusting the IDP in accordance with the MECs proposals;
- Identifying additional roleplayers to sit on the IDP Representative Forum, Steering and Committee.
- Encouraging the continuous participation of roleplayers;
- Monitoring the participation of roleplayers;
- Ensuring that appropriate procedures are followed;
- Ensuring that documentation is properly prepared;
- Carrying out the day-to-day management of the IDP process;
- Responding to comments and enquiries;
- Ensuring alignment of the IDP with other IDP=s within the District Municipality Area;
- Providing input into the preparation of the Sector Plans and ensuring their inclusion into the IDP documentation;
- Co-ordinating the inclusion of a Performance Management System (PMS) into the revised IDP; and
- Submitting the reviewed IDP to the relevant authorities.

It is proposed that the structures which were established for the previous IDP processes be reconstituted to ensure continuity in managing the IDP Review Process and, to make provision for effective public participation.

The following structures will guide the IDP process of Matatiele Local Municipality:

- (a) IDP Steering Committee
- (b) Matatiele IDP Representative Forum

(a) IDP Steering Committee

An IDP Steering Committee that would function, as a technical working team shall be composed of the following members:

- Municipal Head of Departments and /or Senior Officials

The Terms of Reference for the IDP Steering Committee are as follows:

- To finalise the Terms of Reference of the IDP Representative Forum for the IDP Review Phase;
- To provide the Terms of Reference for various planning activities;
- To commission research studies or any other information collection activity;
- To assess proposals from project teams and make recommendations in regard to improvements/amendments;
- To process, summarise and document outputs;
- To make content recommendations to the IDP Representative Forum and Council via the Municipal Manager;
- To assess, and comment on, inputs from project teams, provincial sector departments and support providers.
- Assist the Municipal Manager; and
- Provide Technical input throughout the IDP process.

(b) IDP Representative Forum

The forum played a major role throughout the IDP and IDP Review processes, they made valuable recommendations and comments. In order to encourage the continued participation of Forum members in the IDP Review process (as well as to encourage additional organisations to become members of the Forum), it is proposed that the existing forum be reconstituted and that notices informing community members of the IDP Review process be placed in the local press, on the radio and on notice boards.

The main function of the IDP Representative Forum is to ensure the participation of various interested and affected organisations, groups and individuals.

The general Terms of Reference of the Forum, in accordance with the IDP Guidelines, are as follows:

- Represent the interests of constituents in the IDP process;
- Provide an organisational mechanism for discussion, negotiation and decision making between the stakeholders, including municipal government;
- Ensure communication between all the stakeholder representatives, including municipal government; and
- Monitor the performance of the planning and implementation process.

Representations made at this forum will include; the public and private sector, sector specialists, service providers and stakeholders within the municipality. It is also noted that Councillors will also be part of the forum and that meetings of the forum will be chaired by his worship the Mayor.

The role-players in the Matatiele IDP Review process are the following:

INTERNAL ROLEPLAYERS:

- Council;
- Councillors;
- Mayor;
- Municipal officials;
- Municipal Manager (IDP Manager); and
- IDP Steering Committee.

EXTERNAL ROLEPLAYERS:

- Planning professionals/facilitators;
- Alfred Nzo District Municipality;
- IDP Representative Forum/Civil Society, Service Providers; and

- Government Departments.

The main roles and responsibilities allocated to each of the roleplayers in the IDP Review process are set out in the following table:

INTERNAL ROLEPLAYERS	ROLES AND RESPONSIBILITIES
Council	Final decision making. Decide on the process plan. Approval of the reviewed IDP documentation.
Councillors	Linking the IDP process with their constituencies. Organising the public participation.
Mayor	Be responsible for the overall management, co-ordination and monitoring of the process.
Municipal Officials	Provide technical/sector expertise. Provide input into selected Sector Plans. Prepare draft project proposals.
Municipal Manager (IDP Manager)	Decide on planning process. Monitor process. Overall Management and co-ordination. Day-to-day management of the process. Drafting of the IDP Review documentation.
IDP Steering Committee	Assist and support the Municipal Manager and the IDP Representative Forum. Information Agap@ identification. Oversee the alignment of the planning process internally.

EXTERNAL ROLEPLAYERS	ROLES AND RESPONSIBILITIES
Planning Professionals	Methodological guidance. Facilitation of planning workshops. Support and input into Sector Plans. Documentation of the outcomes of planning activities.
Alfred Nzo District Council	Co-ordination roles for local municipalities. Ensuring horizontal alignment of the IDP=s of the municipalities in the district council area. Ensuring vertical alignment between the district and local planning. Facilitation of vertical alignment of IDP=s with other spheres of government and sector departments. Provide events for joint strategy workshops with local municipalities, provincial and national roleplayers and other subject matter specialists.
IDP Representative Forum/ Civil	Representing stakeholder interests and

The Forum will represent all stakeholders and will be as inclusive as possible. Additional organisations will be encouraged to participate in the Forum throughout the review process.

3.2.2 MEDIA:

Amongst others, the local press will be used to inform the community of the progress with respect to the IDP Review Phase.

4.2.3 CIRCULATE NOTICE

Notices on the IDP Review Process (in English and Isixhosa) need to be placed at strategic Notice Boards; public buildings (eg; Schools, Clinics, Tribal / Magistrates Courts, etc.), and places of religion. Notices can also be attached on the municipal customers monthly accounts.

3.2.4 INFORMATION SHEETS

A summary sheet will be prepared in English, Afrikaans, SeSotho and Isixhosa at the completion of the IDP Review Phase. These sheets will be distributed via the IDP Representative Forum.

SECTION 4: BINDING PLANS AND LEGISLATIONS

The Matatiele Municipality's IDP & Budget formulation and implementation processes will be bound by the following set of legislations (the inventory in the table below is not exclusive of other applicable legislation that may be omitted for lack of information or other reasons):

NATIONAL LEGISLATION	SUMMARY/SCOPE OF LEGISLATION
GENERAL MANAGEMENT	
Constitution of the Republic of South Africa, 1996	<ul style="list-style-type: none"> To introduce the constitution and to provide for matters incidental thereto
Local Government: Municipal Systems Act, 2000	<ul style="list-style-type: none"> To give effect to "developmental local government" To set principles, mechanisms and processes to promote social and economic upliftment of communities and to ensure access to affordable services for all To set a framework for planning, performance management, resource mobilization and organizational change and community participation
Local Government: Municipal Structures Act, 1998 as amended	<ul style="list-style-type: none"> To provide for the establishment of municipalities in accordance with the requirements relating to the categories and types of municipalities, the division of functions and powers between municipalities and appropriate electoral systems To regulate internal systems, structures and office-bearers
Local Government: Municipal Demarcation Act, 1998	<ul style="list-style-type: none"> To provide for the demarcation of boundaries of municipalities for the establishment of new municipalities
Local Government: Cross-Boundary Municipalities Act, 2000	<ul style="list-style-type: none"> To authorize the establishment of cross-boundary municipalities To provide for the re-demarcation of the boundaries of such municipalities under certain circumstances and to provide for matters connected therewith.
Consumer Affairs (Unfair Business Practices) Act, 1996	<ul style="list-style-type: none"> To provide for the investigation, prohibition and control of unfair business practices in the interest of consumers.
Municipal Electoral Act, 2000	<ul style="list-style-type: none"> To regulate municipal elections To amend certain laws and to provide for matters

	connected therewith
Organized Local Government Act, 1997	<ul style="list-style-type: none"> To provide for the recognition of national and provincial organizations representing the different categories of municipalities and the designation of representatives to participate in the National Council of Provinces
Promotion of Local Government Affairs Act, 1983	<ul style="list-style-type: none"> To provide for the co-ordination of functions of general interest to local authorities and of those functions of local authorities which should in the national interest be co-ordinated.
Local Government Transition Act, 1983	<ul style="list-style-type: none"> To provide for matters relating to municipalities in the interim phase, powers and functions of municipalities and actions of officials and councillors
Occupational Health and Safety Act, 1993	<ul style="list-style-type: none"> To provide for occupational health and safety in the work place and the protection of persons outside the work place against hazards to health and safety arising from activities of persons at the work place
Promotion of Access to Information Act, 2000	<ul style="list-style-type: none"> To control and regulate the right of all persons to access to information
Promotion of Fair Administrative Justice Act, 2000	<ul style="list-style-type: none"> To give effect to the right to administrative action that is lawful, reasonable and procedurally fair in terms of the Constitution of the Republic of South Africa
Promotion of Equality and Prevention of Unfair Discrimination Act, 2000	<ul style="list-style-type: none"> To give effect to Section 9 read with Item 23(1) of Schedule 6 to the Constitution of the Republic of South Africa, 1996, to prevent and prohibit unfair discrimination and harassment. To promote equality and to eliminate unfair discrimination and to prevent and prohibit hate speech and to provide for matters connected therewith
FINANCE	
Appropriation of Revenue Act, 2000	<ul style="list-style-type: none"> To provide for a fair division of revenue to be collected nationally between national, provincial and local government spheres
Business Act, 1991	<ul style="list-style-type: none"> To repeal certain laws regarding the licensing of businesses. To provide for the licensing and operation of certain businesses, shop hours and related matters
Debt Collection Act, 1998	<ul style="list-style-type: none"> To provide for controlled debt collecting
Income Tax Act, 1962	<ul style="list-style-type: none"> To provide for the payment of taxes on incomes of persons and taxes on donations
Insolvency Act, 1936	<ul style="list-style-type: none"> To consolidate and amend the law relating to insolvent persons and their estates
Local Authorities Capital Development Fund Ordinance, 1978 READ WITH Local Government Affairs Second Amendment Act, 1993	<ul style="list-style-type: none"> To provide for the establishment and management of a Capital Development Fund and for matters incidental thereto
Municipal Accountants' Act, 1988	<ul style="list-style-type: none"> To provide for the establishment of a Board for Municipal Accountants and for the registration of Municipal Accountants and the control of their profession
Local Government: Municipal Finance Management Act, 2003	<ul style="list-style-type: none"> To regulate financial management in the local sphere of government to require that all revenue, expenditure, assets and liabilities of municipalities and municipal entities are managed efficiently and effectively. To determine responsibilities of persons entrusted with local sphere financial management and to determine certain conditions and to provide for matters connected therewith

Public Finance Management Act, 1999	<ul style="list-style-type: none"> To regulate financial management in the national and provincial government and, inter alia, provincial public entities
Local Government: Municipal Property Rates Act, 2004	<ul style="list-style-type: none"> To regulate the power of a municipality to impose rates on property To make provision for fair and equitable valuation methods on properties.
Pension Benefits for Councillors of Local Authorities Act, 1987	<ul style="list-style-type: none"> To provide pension benefits for councillors
Reporting by Public Entities Act, 1992	<ul style="list-style-type: none"> To provide for the reporting to Parliament by public entities
Prescribed Rate of Interest Act, 1975	<ul style="list-style-type: none"> To prescribe and regulate the levying of interest from debtors
Value-Added Tax Act, 1991	<ul style="list-style-type: none"> To provide for the taxation in respect of the supply of goods and services.
ADMINISTRATION/CORPORATE AND LEGAL SERVICES	
Electoral Act, 1998	<ul style="list-style-type: none"> To manage and regulate elections on national, provincial and local government level
Expropriation Act, 1975	<ul style="list-style-type: none"> To provide for the expropriation of land and other property for public and certain other purposes and matters connected thereto
Rental Housing Act, 1999	<ul style="list-style-type: none"> To define the regulation of Government in respect of rental housing
Residential Landlord and Tenant Act, 1997	<ul style="list-style-type: none"> To provide for the regulation of landlord-tenant relations in order to promote stability in the residential rental sector in the province.
TOWN PLANNING AND SPATIAL DEVELOPMENT	
Development Facilitation Act, 1995	<ul style="list-style-type: none"> To provide for IDPs, reflecting current planning and to institutionalise development tribunals for evaluation applications
Land Use Management Bill, 2002	<ul style="list-style-type: none"> To establish a uniform land use management system.
Physical Planning Act, 1991	<ul style="list-style-type: none"> To provide guidelines for the drafting of urban development plans.
Planning Professions Act, 1998	<ul style="list-style-type: none"> To provide for the training and registration of professional planners.
ENVIRONMENT	
Environmental Conservation Act, 1989	<ul style="list-style-type: none"> To provide for environmental impact assessments and exemptions, noise control areas etc. To provide for the effective protection and controlled utilisation of the environment and for matters incidental therewith
National Environmental Management Act, 1998	<ul style="list-style-type: none"> To provide for co-operative environmental governance by establishing principles for decision making on matters affecting the environment and to provide for matters connected therewith.
ENGINEERING/TECHNICAL SERVICES	
National Water Act, 1998	<ul style="list-style-type: none"> To provide for fundamental reform of the laws relating to water resources
Water Services Act, 1997	<ul style="list-style-type: none"> To provide for the rights of access to basic water supply and sanitation, national standards and norms for tariffs and services development plans.
Regulations on Advertisements on or Visible from National Roads, 1998	<ul style="list-style-type: none"> To control all advertising on national and regional roads
SAFETY AND SECURITY	
South African Police Service Act, 1995	<ul style="list-style-type: none"> To provide, inter alia, for a municipal police
Criminal Procedure Act, 1977	<ul style="list-style-type: none"> To consolidate and regulate procedure and evidence in criminal proceedings
Road Traffic Management Corporation Act, 1999	<ul style="list-style-type: none"> To provide, in the public interest, for co-operative and co-ordinated strategic planning, regulation,

	<p>facilitation and law enforcement in respect of road traffic matters and to provide for matters connected therewith</p>
Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998	<ul style="list-style-type: none"> To provide for the eviction of unlawful occupants of land the protection of the rights of such occupants under certain conditions
National Road Traffic Act, 1996	<ul style="list-style-type: none"> To regulate traffic on public roads, the registration and licensing of motor vehicles and drivers, including fitness requirements and incidental matters
National Land Transport Interim Arrangements Act, 1998	<ul style="list-style-type: none"> To make arrangements relevant to transport planning and public road transport services.
Disaster Management Act, 2002	<ul style="list-style-type: none"> To provide for an integrated, co-ordinated and common approach to disaster management by all spheres of government and related matters
Fire Brigade Services Act, 1987	<ul style="list-style-type: none"> To provide for the rendering of fire brigade services and certain conditions to the rendering of the service
HEALTH AND WELFARE	
Hazardous Substance Act, 1973	<ul style="list-style-type: none"> To control matters relating to gas, petrol and liquids
Health Act, 1977	<ul style="list-style-type: none"> To provide for the promotion of health of the inhabitants of the Republic of South Africa, for the rendering of health service To define the duties, powers and responsibilities of certain authorities which render such services and for the co-ordination of the services
National Policy for Health Act, 1990	<ul style="list-style-type: none"> To provide for control measures to promote the health of the inhabitants of the Republic of South Africa and for matters connected thereto
HUMAN RESOURCES	
Employment Equity Act, 1998	<ul style="list-style-type: none"> To promote the constitutional right of equality and the exercise of true democracy To eliminate unfair discrimination in employment To redress the effect of unfair discrimination in the work place to achieve a workforce representative of the population
Basic Conditions of Employment Act, 1997	<ul style="list-style-type: none"> To give effect to the right to fair labour practices To provide for the regulation of basic conditions of employment.
Labour Relations Act, 1995	<ul style="list-style-type: none"> To regulate the organizational rights to trade unions, the right to strike and lock-outs To promote and facilitate collective bargaining and employee participation in decision making To provide simple procedures for labour disputes
Skills Development Act, 1998	<ul style="list-style-type: none"> To provide for the implementation of strategies to develop and improve the skills of South African workforce To provide for Learnerships To regulate the employment services and the financing of skills development
Compensation of Occupational Injuries and Diseases Act, 1993	<ul style="list-style-type: none"> To regulate the categories of persons entitled to compensation for occupational injuries and diseases, and to determine the degree of disabled employees
Skills Development Levies Act, 1999	<ul style="list-style-type: none"> To provide for the imposition of a skills development levy and for matters connected therewith
South African qualifications Authority Act, 1995	<ul style="list-style-type: none"> To provide for the establishment of a National Qualifications Framework and the registration of National Standards Bodies and Standard Generating Bodies and the financing thereof
Unemployment Insurance Act, 1966	<ul style="list-style-type: none"> To provide for the payment of benefits to certain persons and the dependants of certain deceased persons and to provide for the combating of unemployment

ELECTRICITY	
Electricity Act, 1987	<ul style="list-style-type: none"> To provide for and regulate the supply of electricity and matters connected thereto.

SECTION 5: ACTION PROGRAMME

ACTIVITY	DATES
1. Preparation Phase	
1.1 Prepare a draft Process Plan	August – September 2008
1.2 Table Draft Process Plan to EXCO	19 September 2008
1.3 Council to consider and adopt Process Plan	25 September 2008
1.4 Advertisement for public comment and nomination on Representative Forum	29 September 2008
1.5 Submission to Alfred Nzo District Municipality and DLGTA	30 September 2008
1.6 IDP Steering Committee Meeting <ul style="list-style-type: none"> Process Plan and the role of the Steering Committee Review progress: IDP implementation Develop agenda for the Rep Forum 	02 October 2008
1.7 Presentation of the process plan to the IDP Representative Forum	09 October 2008
2. Monitoring & Evaluation – Updated Analysis	
2.2 IDP Steering Committee Meeting <ul style="list-style-type: none"> Updated situation analysis with Sector Departments and other stakeholders Develop agenda for the Rep Forum 	23 October 2008
2.3 Representative Forum Meeting	06 November 08
2.4 Community Based Ward Plans	October – Mid November 2008
2.5 IDP Steering Committee <ul style="list-style-type: none"> Report on Community Based Ward Plans Develop agenda for the Rep Forum 	27 November 2008
3. Refined Objectives, Strategies, Projects and Scorecards	
3.1 IDP Steering Committee Meeting <ul style="list-style-type: none"> Prepare for the Strategic Planning Session 	15 January 2009
3.2 Strategic Planning Session (Executive Committee, Management & Government Departments)	26 - 27 January 2009
3.4 Steering Committee Meeting <ul style="list-style-type: none"> Strategic Session Report Agenda for the Rep Forum 	12 February 2009
3.5 IDP Rep Forum <ul style="list-style-type: none"> Draft Revised Analysis Draft Revised Objectives and Strategies Draft Projects and Programmes linked to budget 	19 February 2009
4. Consolidate Reviewed IDP and Budget	
4.1 Steering Committee Meeting <ul style="list-style-type: none"> Confirm contents of the IDP and Budget, and consider inputs from the Rep Forum 	26 February 2009
4.2 Submission of Draft IDP/Budget to the Standing Committee	05 March 2009
4.3 Submission of Draft IDP/Budget to EXCO	16 – 18 March
4.4 Table Draft IDP/Budget to council	30 March 2009
4.5 Advertise for public comments	03 and 09 May 2009
4.6 Public hearings IDP and Budget documents.	20 – 24 April 2009
5. Approval	
5.1 Review progress – Steering Committee <ul style="list-style-type: none"> Public participation programme & comments received Present final draft to be adopted by council 	08 May 2009
5.2 IDP Steering Committee Meeting <ul style="list-style-type: none"> Present IDP Review to EXCO 	22 May 2009
5.3 Council adopts IDP Review 09/10 <ul style="list-style-type: none"> Submit copy of IDP to ANDM and to MEC (DLG&TA) 	29 May 2009

6. MECHANISM AND PROCEDURE FOR ALIGNMENT

Matatiele Local Municipality adopted a Draft Calendar of meetings for 2008/09 and the Budget Time Table 2009/10 in the Council Meeting that sat on the 29/05/2008. IDP Processes to be undertaken at the District Municipality level must take into account committed dates of Matatiele LM as approved by council.