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KWA SANI MUNICIPALITY

THE REVIEW OF INTEGRATED DEVELOPMENT PLANS

IDP REVIEW PROCESS PLAN FOR 2012/2013



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1. INTRODUCTION

In terms of the Municipal Systems Act (Act 32 of 2000) all municipalities must prepare an Integrated Development Plan (IDP). The IDP is a product of integrated development planning process. The IDP is a strategic plan that guides and informs all planning processes, activities, decision making, budgeting and management in the municipality. According to Section 34 of the Municipal Systems Act (Act 32 of 2000) a municipal council must review its IDP annually:

- in accordance with an assessment of its performance measurements in terms of section 41
- to the extent that changing circumstances so demand and
- may amend its IDP in accordance with the prescribed process.

IDP Review is the assessment and evaluation of the Integrated Development Plan and municipal performance. All municipalities must prepare a Process Plan as a preparatory phase for the review of the IDP. The Process Plan will outline how the process will unfold (i.e. the planning process to be undertaken, organizational structures and the distribution of roles and responsibilities etc) in the review process. It fulfills the function of an operational plan for the IDP Process.

There are two major processes that are informed by the IDP they are: Performance Management System (PMS) and the Budget Processes. The Municipal Systems Act (Act 32 of 2000) requires all municipalities to prepare and implement a Performance Management System (PMS) in order to empower the municipalities in implementing, monitoring, evaluating and reviewing the performance of their IDP's. Performance Management is a strategic approach to management which equips leaders, managers, employees and stakeholders at different levels with a set of tools and techniques to continuously monitor, periodically measure and review performance of the organization in terms of indicators and targets (Sectoral Guidelines for the review of IDP, 2003).

The Integrated Development Plan (IDP) and PMS should be developed at the same time as the PMS. PMS is a tool to improve service delivery and to monitor the implementation of the IDP. The budget process must be aligned and tied to the IDP and PMS processes. It is therefore important that all role players involved in these three processes work together and align their activities.

As indicated above, the IDP is a Strategic Plan and PMS is a monitoring and the municipality will prepare Service Delivery and Budget Implementation Plan (SDBIP) an implementation tool as stipulated in the Municipal Finance Management Act of 2003. SDBIP means a detailed plan approved by the Mayor of the municipality in terms of section 53 (1) © (ii) for implementing municipal services and its annual budget.

WHY IDP REVIEW

The IDP Review process should not be perceived as redoing the IDP. The main objectives of the review process are to:



- Assess service delivery
- Assess if delivery is happening as planned
- Make adjustments and amendments
- Feed new information into budget
- Ensure relevance of the plan as the Municipal Strategic Plan and
- Assess changing internal and external circumstances
- Incorporate comments from IDP Assessments/Self Assessments/MEC Comments
- New council priorities
- New policies (e.g. Rural Development) and legislation (e.g. the Planning Development Act), implementation of Local Rural Development Plans and implementation of the PDA
- Review of Spatial Development Framework, i.e. alignment with IDP processes, mapping projects, identification of urban edges, etc.



2. INSTITUTIONAL ARRANGEMENT

IDP is an integrated plan and requires the involvement of different role players. For the project of this magnitude to be successful, all stakeholders involved must be encouraged to participate in the process. The IDP review process requires participation of communities, stakeholders, and all spheres of government and professionals. In order to ensure the involvement of all affected groups the following persons and structures should be in place:

- District Municipality;
- Councillors/ Ward Committee/s;
- Executive Committee
- IDP/PMS Manager
- IDP Steering Committee
- Municipal Officials
- IDP Representative Forum
- Local Municipalities
- COGTA
- DPLG
- Government Departments
- Alignment Committee



3. *ROLES AND RESPONSIBILITIES*

It is one of the pre-requisites of the smooth and well organized review process that all role players be aware of their own and other role players' responsibilities. Therefore, it is important that clear terms of reference for all role players' are developed and be output oriented.

ROLE PLAYERS	ROLES AND RESPONSIBILITIES
Sisonke District Municipality	Adopting the Framework Plan and Process Plan Managing and coordinating the IDP review process by: <ul style="list-style-type: none"> • Ensuring horizontal alignment between the District municipality and five local municipalities. • Ensuring the vertical alignment between District municipality and Sector departments. • Preparing joint strategic workshops with all spheres of government • Ensuring that business plans, land use management system and budget decisions are based on the IDP. • Ensuring that Key Performance Indicators and Targets outlined in the IDP are realistic and achievable • Ensuring that the IDP is tied to budget • Ensuring that the IDP and PMS processes are developed together • Ensuring that Service Delivery and Budget Implementation Plan is in place and aligned with the IDP and budget processes • Ensuring the linkages between the IDP, PMS, Budget and Service Delivery and Budget Implementation Plans processes • Monitoring the implementation of the IDP/ Service Delivery and Budget Implementation Plan • Ensuring that the review process complies with the prescribed legislation • Adopting and approving the reviewed IDP, Budget and PMS.
Councillors/Ward Committees	<ul style="list-style-type: none"> • Linking the IDP review process to their constituencies. • Facilitating public consultation and participation • Ensuring transparency in the review process • Facilitating community ownership
Executive Committee	<ul style="list-style-type: none"> • Deciding on the process plan • Monitoring the IDP review, budget and PMS Processes • Doing overall management and co-ordination
IDP /PMS Manager	<ul style="list-style-type: none"> • Preparing the Framework and Process Plan • Nominate persons/ role players • Ensuring appropriate participation • Responsible for day to day management of the IDP Review process and PMS under consideration of time and resources • Ensuring that the review process complies with the prescribed legislation • Ensuring that the Service Delivery and Budget Implementation Plan is in



	<ul style="list-style-type: none"> place • Ensuring that the SDBIP is informed by the IDP and Budget • Day to day management of PMS • Ensuring that the IDP is tied to budget • Prepare Quarterly reports on implementation of municipal targets • Arranging meetings for IDP Structures to participate in the process
IDP Steering Committee	<ul style="list-style-type: none"> • Discussing the content of the IDP • Commission research studies • Consider and comment on: <ul style="list-style-type: none"> ❖ Inputs from sub committee/s study teams and consultants ❖ Inputs from provincial sector departments and support providers ❖ Process, summaries and document outputs • Makes content recommendations
Municipal Officials	<ul style="list-style-type: none"> • Providing technical/sector expertise • Providing departmental and capital budgetary information. • Providing the IDP / PMS Manager with information relating to their specific departments • Ensuring that all processes undertaken by the municipality are reflected in the IDP • Preparing draft project proposals
IDP Representative Forum	<ul style="list-style-type: none"> • Represent the interest of their constituents • To ensure transparency in the process • To ensure the involvement of different stakeholders in decision making • Ensure communication between all stakeholders • Recommend reports for approval • Provide organizational mechanism for discussion, negotiation and decision making between the stakeholders including municipal government.
Local Municipalities	<ul style="list-style-type: none"> • Preparing their own Process Plans • Managing and coordinating the local review process • Adopting and approving their IDP's • Aligning the review process with other Local Municipalities and the District Municipality • Contributing in the formulation of the District Framework Plan • Ensuring alignment of their respective IDP's with national and provincial departments and corporate service providers.
IDP Alignment Committee	<ul style="list-style-type: none"> • Ensuring alignment between District and Local Municipalities IDPs
Office of the Mayor/Finance Dept	<ul style="list-style-type: none"> • Ensuring budget process is aligned and informed by IDP and complies to relevant legislation and is transparent



External Role Players

ROLE PLAYERS	ROLES & RESPONSIBILITIES
Department of Cooperative Governance & Traditional Affairs	<ul style="list-style-type: none">• Providing data and information• Providing guidelines for the review process• Providing guidelines for the preparation of Sector Plans• Providing methodological guidance• Providing technical support• Providing funding for IDP Review and PMS• Monitoring the review process Coordinating IDP and PMS related training
Department of Provincial and Local Government Affairs	<ul style="list-style-type: none">• To provide guidelines for IDP• To provide Technical and methodological guidance through the establishment of the PIMS Centre
Government Departments	<ul style="list-style-type: none">• Provide data and information• Assist in the preparation guidelines for sector plans• Provide funding for the preparation of sector plans• Facilitate alignment
IDP Service Providers Forum (Sector Departments, DM and LMs)	<ul style="list-style-type: none">• Engage in alignment process (aligning projects and programmes)



5. MECHANISMS AND PROCEDURES FOR CONSULTATION AND REPORTING

The IDP / PMS Manager will manage the review process. He or she will be responsible for organizing meetings and ensuring that all the role players are involved in the review process. The IDP/ PMS Manager will be assisted by the Planning Professionals and Municipal Officials in executing her IDP, PMS and Service Delivery and Budget Implementation Plan related duties and they will all constitute the IDP Steering Committee. (Refer to "Annexure A")

Consultation Structures

- IDP Steering Committee
- IDP Alignment Committee
- IDP Rep. Forum*
- IDP Service Providers Forum
- Ward Committees

6. MECHANISMS AND PROCEDURES FOR PUBLIC PARTICIPATION

Chapter 4 of the Municipal Systems Act, 2000 states that a municipality must develop a system of participatory governance by encouraging and creating conditions for communities, residents and other stakeholders to participate in the municipal governance.

The IDP Rep. Forum and Ward Committees are the appropriate structures to facilitate public participation in the IDP Process. Entrusted with this responsibility, both structures should be highly functional and understand the review process and other processes that are informed by the IDP. Both structures should particularly focus on those social groups that are not well organized and which do not have the power to articulate their interests publicly e.g. woman, disabled, people subjected to poverty, orphans, aged etc.

IDP Representative Forum

The composition of this forum must enable a wide range of stakeholder's participation. The composition of this forum is attached as "Annexure B".

Media

Local newspapers circulating within the District

- Natal Witness
- Kokstad Advertiser
- Village Voice
- The Informer
- EG Herald



The ward committees within the District are as follows:

- Greater Kokstad Municipality: 6 wards
- Ingwe Municipality: 10 wards
- Ubuhlebezwe Municipality: 12 wards
- UMzimkhulu Municipality: 18 wards
- Kwa Sani: 4 wards

Due to minimal public participation in the IDP process the municipality will conduct training workshops in all ward committees and development committees on IDP and related processes. The aim of the workshop is to ensure that the public participation structures are well versed about the IDP process and their role thereof.

7. MECHANISMS AND PROCEDURES FOR ALIGNMENT

IDP process is a local government process, which requires input from all spheres of government at different stages. Alignment is an instrument to synthesize and integrate the top-down and bottom-up planning processes between various spheres of government. There are two main types of alignment required in this process:

- a) Alignment between the District Municipality and Local Municipalities. The aim of this level of alignment is to ensure that the municipal planning processes, programs and projects etc. are addressed jointly. The District Municipality must facilitate this level of alignment.
- b) Alignment between Local Government and other Provincial and National Sector Departments and Corporate Service Providers e.g. TELKOM and ESKOM. The aim of this level of alignment is to ensure that the IDP is in line with national and provincial policies and strategies so that it is considered for the allocation of departmental budgets and conditional grants. This level of alignment will also ensure alignment of projects and programs planned by other Sector Departments and Corporate Service Providers.

7.1 Role Players

7.1.1 National Level

- a) The National Government should provide a framework for sectoral, provincial and municipal planning. This will contribute to the creation of a normative framework consisting of common policy guidelines and principles, general strategic guidelines and spatial macro-strategies.

7.1.2 Provincial Level

This sphere of government should provide a more specific framework, with mid-term objectives and targets for public investment and services. The Provincial Departments should provide guidelines and



funding for the preparation of Sector Plans. Apart from that, all provincial sector departments should be actively involved in the IDP process. This will be done through the Service Providers Forum and the composition of the forum is attached as "Annexure C"

The Department of Traditional and Local Government Affairs and the District PIMS Centre should play a crucial role in ensuring alignment between Local Government and Provincial Sector Department.

7.1.3 Local Level

To ensure alignment at a local government level the Alignment Committee should be revived. The District Municipality (IDP Manager and PIMS Centre) should drive the alignment process. The composition of the committee is attached as "Annexure D"

8. BINDING LEGISLATION AND PLANNING REQUIREMENTS

The preparation of the IDP is a legislative requirement. It is therefore important that the formulation of the IDP be done within the context of all applicable development planning legislation and policies. The table in "**Annexure A**" outlines applicable legislation and policies that should be taken into account throughout the IDP process.



THE SERVICE PROVIDERS FORUM

TERMS OF REFERENCE

The Forum is composed of the various Provincial Sector Departments, Municipal Managers or IDP Managers of all municipalities within the district, Corporate Service Providers (TELKOM, ESKOM) and Municipal Officials responsible for IDP.

Roles and Responsibilities of the Committee

- Ensure alignment of the District IDP and Local Municipalities' IDPs with plans, programs and projects of Government Departments and Corporate Service Providers
- Identify alignment needs and translate those needs into alignment events
- Identify entry points for alignment
- Identify Alignment Mechanisms
- Discuss projects, programs and sector plans and align them with the District and its Local Municipalities (completed projects, existing projects, committed projects and planned)



Sisonke District Municipality Service Providers Forum Members

NO	NAME	COMPANY	TELEPHONE	FAX NUMBER
1	Mr. T Bhengu	CoGTA	031-204 1760	031-204 1980
2	Ms M Zungu	CoGTA	031-204 1760	031-204 1980
3	Mr. A Zulu	Ingwe Municipality	039-833 1038	039-833 1179
4	Mr. L Mapholoba	Umzimkhulu Municipality	039- 259 0216	039-259 0427
5	Mr. D Dlamini	Ubuhlebezwe Municipality	039-834 2074	039-834 1168
6	Ms S. McAllister	Kwa-Sani Municipality	033-702 1060	033-702 1148
7	Mr. D Mbongwa	Greater-Kokstad Municipality	039-797 6600	039-727 3676
8	Mr. A Zuma	ESKOM	033-395 3544	039-395 3432
9	Mr. E Donnelly	ESKOM	033-395 3544	039-395 3432
10	Ms J Zungu	TELKOM	031-363 2883	031-304 9391
11	Mr. TC Lushaba	FNB	039-834 2002	039-834 1474
12	Mrs. Z Mkhize	STANDARD BANK	039-834 8000	
13	Mr. L Dlamini	ITHALA BANK	031-710 7574	031-710 7608
14	Mr. N Knickelbeig	ABSA	033-845 6627	033-394 4387
15	Mr. I Smith	PEOPLES BANK	033-392 7818	033-342 2099
16	Ms Mkhize	Dept of Health	039 8341 038	039 8341 038
17	Ms J Makhanya	Dept of Health	039 8341 415/7	039 8341 415
18	Mr. T Zondi	Dept of Transport	039-834 1450	039-8341 513
19	Mr. M Manicum	Dept of Transport	033 3558 648	033 3558 090
20	Mr. B Zulu	Dept of Land affairs	039-682 2295	039-682 0004
21	Mr. B Ndlovu	Dept of Land Affairs	039-682 2295	039-682 0004
22	Mr. A Matomane	DWAF (Forestry Section)	033-342 8101	033-345 1210
23	Ms Z Radikonyana	Dept of Works	031-203 2229	031-261 6066
24	Ms TP Buthelezi	Dept of Works	031-203 2100	031-261 6066
25	Ms Skhakhane	Dept of Social Welfare	033-395 9600	033-342 8648
26	Mr. Cwele	Dept of Agriculture and Environmental Affairs	039-834 1032	039-834 1412
27	Mr. T Smith	Dept of Education	033- 3552 317	033- 3426 034
28	Ms. L Msimango	Dept of Sport & Recreation	033- 3422 970	033- 3427 107
29	Ms S Buthelezi	Sisonke District Municipality	039 8348 700	039 834 1701
30	Ms N Zondi	Sisonke District Municipality	039 8348 700	039 834 1701
31	Ms N Dlamini	Sisonke District Municipality	039 8348 700	039 834 1701
32	Mr. M Dlamini	GCIS	039- 8341 599	039- 8341 599
33	Mr. Zuma	ESKOM	031 204 5632	
34	Mr. B Barnes	KZN Wild Life	033 2391 532	033 2391 529
35	Mr. T Chetty	Dept of Housing	031 3365 359	031 3365 145
36	Mr. Blunt	Dept of Transport	033 3429 178	033 3420 712



37.	Ms. A Masefield	DWAF	031- 3362 700	031-3077 279
38.		Dept of Econ. Affairs & Finance		
39.	Ms. T Cibane	Dept of Minerals & Energy (Development Application)	034- 2121 807	034- 2122 721
40.	Mr. Van Rensburg	Dept of Agriculture & Env. Affairs	033- 3438 300	033- 3434 396
41.	Mr. J Campbell	Dept. of Arts and Culture	083 952 0054	033-345 9017
42.	Mr. TD Duma	Dept. of Arts and Culture	083 307 8842	033-345 9017
43.	Ms IM Cele	Transnet Housing	031-361 2304	031-361 2957
44.	Mr. A Botha	Transnet Housing	031-361 2753	031-361 2258
45.	Mr. S Gumede	Dept of Social Welfare	039-832 0017	039-832 0118
46.	Ms TG Madondo	Dept of Social Welfare	039-832 9265	039-832 0118
47.	Mr. NM Mabaso	Sisonke District Municipality	039-834 8700	039-834 1750
48.	Mr. D Makwakwa	Sisonke District Municipality	039-834 8700	039-834 1714
49.	Mr. B Ngcobo	Sisonke District Municipality	039-834 8700	039-834 1701
50.	Ms. Z Thusi	IDT	031-3697400	
51.	Mr. Z Mtolo	Sisonke District Municipality	039-834 8700	039-834 1701
52.	Mrs. NJ Khoatane	Sisonke District Municipality	039-834 8700	039-834 1700
53.	Mr L Zondi	Sisonke District Municipality	039-834 8700	039-834 1700
54.	Mr. D Deppy	SAPPI	039- 8320 041	039- 8320 256
55.	Mr. T Mbinda	Dept. of Minerals and Energy (electricity)	034- 2121 807	034- 2122 721
56.	Ms. F Nzimande	Dept. of Minerals and Energy (Energy)	034- 2121 807	034- 2122 721
57.	Mr. Mdletye	Department of Education	039-797 3703	039 -727 5485
58.	Ms. M Chiya	Sports and Recreation	033-897 9400	033-342 4982
59.	Ms. N. Ngcobo	Telkom	012-311 7547	012-321 6463
60.	Mr. T Biyase	Sisonke District Municipality	039-834 8700	039-834 1700

Code of Conduct

All members will be required to attend all Service Providers Forum Meetings. In the event whereby a committee member cannot attend he/she should inform the District IDP/PMS Manager in writing, 24 working hours prior to the scheduled meeting. He/ She should send a representative with all relevant information that would be required for the meeting.



IDP ALIGNMENT COMMITTEE

TERMS OF REFERENCE

Objective of the Committee

Alignment is an instrument to synthesize and integrate the top-down and bottom-up planning process between different spheres of government. The Alignment Committee is established at a district level and its main objective is to ensure that planning processes and issues of the district and local municipalities are coordinated and addressed jointly.

Composition of the Committee

The committee is composed of Municipal Managers or IDP Managers of all municipalities within the district, PIMS Centre Staff, IDP Provincial Coordinators (DLGTA) and relevant Sisonke Officials. The Alignment Committee is chaired by the District IDP Manager.

Roles and Responsibilities of the Committee

- Ensure alignment of the District IDP with the Local Municipalities
- Identify alignment needs and translate those needs into alignment events
- Identify entry points for alignment
- Identify Alignment Mechanisms
- Agree on IDP Review time frame taking into consideration time frame set by DLGTA
- Discuss projects that are implemented by the District and Local Municipalities (existing projects, committed projects and planned)



Communication

Bilateral Communication in a form of telephones, electronics, written communication.

MEMBERS OF THE ALIGNMENT COMMITTEE

NO.	REPRESENTATION	NAME AND SURNAME	DESIGNATION	
1.	Sisonke District Municipality	Ms. B Zulu	Executive Director: Strategic Support Department	039 8348 700
2	Sisonke District Municipality	Mrs. N Dlamini	Executive Director: Social, Economic Development and Planning Services	039 8348 700
3.	Sisonke District Municipality	Ms T. Mhlongo	Director: SCM	039 8348 7000



Process Plan for the Review of the Integrated Development Plan 2012/13

4.	Sisonke District Municipality	Mr L Zondi	Director: Development and Planning	039 8348 700
5.	Sisonke District Municipality	Mr. Z Mtolo	Director: Strategic Support	039 8348 700
6.	Sisonke District Municipality	Ms. S Buthelezi	Director: MPU	039 8348 700
7.	Kwa Sani Local Municipality	Ms Sue McAllister	IDP Manager	033 7021060
8.	Greater Kokstad Municipality	Mr. D Mbongwa	IDP Manager	039 7273676
9.	CoGTA	Ms Navani Naidoo	Planning Unit	031 204 1813
11.	Sisonke District Municipality	Mr. NM Mabaso	Municipal Manager	039-834 8700
12.	Umzimkhulu Municipality	Vacant	IDP Manager	039-834 8700
13.	Sisonke District Municipality	Mr. D Makwakwa	Executive Director: Infrastructure Services	039-834 8700
14.	Sisonke District Municipality	Mr B Ngcobo	Executive Director: Water Services	039- 834 8700
15.	Sisonke District Municipality	Mr T Biyase	Executive Director: Corporate Services	039-834 8700
16.	Ubuhlebezwe Municipality	Ms C Mathebula	IDP Manager	039-8348 700



17.	Ingwe Municipality	Mr. A Zulu	IDP Manager	039-833 1038
18.	Sisonke District Municipality	Mr. S Mewallal	CFO	039 834 8700

Code of Conduct

All members will be required to attend all Alignment Committee Meetings. In the event whereby a committee member cannot attend he/she should inform the District IDP/PMS Manager in writing, 24 working hours prior to the scheduled meeting. He/ She should send a representative with all relevant information that would be required for the meeting.



ACTION PLAN

ACTIVITY	DELIVERABLES	RESPONSIBLE DEPARTMENT	Aug. 2011	TIME FRAME											
				Sep. 2011	Oct. 2011	Nov. 2011	Dec. 2011	Jan. 2012	Feb. 2012	Mar. 2012	April 2012	May 2012	June 2012	July 2012	
PREPARATION															
Alignment Committee Meeting	Input of LM's in the formulation of the IDP Framework and Process Plans	IDP / PMS Manager	19 Aug											16 July	
Finalize IDP Framework and Process Plan	Well informed IDP Process	IDP / PMS Manager	30 Aug												
Adopt IDP Review Framework and Process Plans	Guide IDP Review	Council		22 Sept											
PHASE I - ANALYSIS															
Context and Situational Analysis (Section B of IDP)				√	√										
PHASE II - STRATEGIES					✓										
IDP Steering Committee Meeting	Identify sector plans and planning cycles of sector plans and	Office of the Municipal Manager		**											



Process Plan for the Review of the Integrated Development Plan 2012/13

	identify entry points for alignment.													
IDP / PMS Workshop	Identify district priorities	IDP / PMS Manager			27/ 28 Oct									
Review Objectives and projects	Reviewed objectives and projects	Council			27/ 28 Oct									
IDP Forum Meeting						16 Nov.								
Review PMS and Targets	Monitoring IDP Implementation	Municipal Manager, IDP / PMS Manager and all HOD's						11 Jan						
PHASE III- PROJECTS														
IDP Roadshows														
Service Providers Forum	Alignment with Sector Dep.	Office of the Municipal Manager						30 Jan						
IDP Steering Committee	Internal Alignment	Office of the Municipal Manager						18 Jan						
IDP Alignment Committee	Alignment with LM's	LM's and SDM							1 Feb					
PHASE IV- INTEGRATION														
Preparation/ review of Sector Plans	Aligned with the IDP Process	All Departments				✓								
PHASE V - APPROVAL														
Draft IDP and PMS tabled to Council	Council Input	All Departments							8 Feb					



Process Plan for the Review of the Integrated Development Plan 2012/13

Preparation of SDBIP	Implementation Plan	All Departments								15 Marc			
Table draft IDP/ PMS to council	Council	Office of the MM									24 Marc		
Service Providers Forum	Alignment with Sector Dep.	Office of the Municipal Manager										15 April	
Alignment Committee Meeting	Prepare for presentation to the Provincial IDP Forum	IDP / PMS Manager									17- 18 Marc		
Presentation to the Provincial IDP Forum	Inform MEC comments	IDP / PMS Manager										5-8 April	
Draft IDP and PMS advertised	Public comment	Office of the Municipal Manager										20 April	
Public consultation meetings	Public input	Office of the Municipal Manager and Dep. of Finance										26- 29 April	
Adoption of the IDP, Budget and PMS	Aligned Strategic Plans	Council											28 Jun.
Approval of SDBIP	Implementation Plan	Hon. Mayor											30 July 2011
Implementation SDBIP	Implementation	All Departments											31 July 2011



ANNEXURE A

APPLICABLE LEGISLATION & POLICIES FOR KWAZULU NATAL MUNICIPALITIES IN INTERGRATED DEVELOPMENT PLANNING

1. LEGISLATION

LEGISLATION	RESPONSIBLE DEPARTMENT	SUBJECT MATTER	RESPONSIBILITY	APPROVAL
Development Facilitation Act, 1995 (Act No. 67 of 1995)	Department of Rural and Land Reform	Land Development Objectives, Spatial development, Spatial integration, Sustainable Land Development, Bulk infrastructure planning, Settlement density, Land use control, Development strategies, Administrative structures Housing delivery	Municipalities	Municipalities & MEC Local Government
Kwa Zulu Natal Land Affairs Act(Act No.11 of 1992)	CoGAT	To provide for disposal of Govt. land, rights to land tenure, registration of title, development, use and subdivision of land and removal of restrictive conditions	Municipalities	CoGTA
Less Formal Township Establishment Act(Act113 of 1991)	Department of Rural and Land Reform	Shortened procedures for designation, provision and development of land and establishment of townships.	Municipalities	CoGTA
Removal of Restrictive Conditions Act (Act no. 84 of 1967)	Department of Rural and Land Reform	To alter, suspend or remove certain restrictive conditions in respect of land in the province	Municipalities	CoGTA



Process Plan for Review of 2012-2013 Integrated Development Plan

Upgrade of Land Tenure Rights Act(Act No.112 of 1991)	Department of Rural and Land Reform	Upgrading of certain rights, granted in respect of land and establishment of townships, less formal residential settlements, regulating use of land by tribal communities for residential settlements	Municipalities	CoGTA and Housing Settlement (jointly administered)
Town Planning Ordinance(27 of 1949)	CoGTA	Establishment of private townships, subdivision and layout plans for building purposes or urban settlement and development of town planning schemes	Municipalities	CoGTA
Municipal Systems Act (Act 32 of 2000)	CoGTA	Integrated Development Plans Strategic planning, Multi-sectoral planning, coordination and alignment	Municipalities	Municipalities. MEC Local Government may require amendment to IDP
Water Services Act (Act No. 108 of 1997)	Department of Water Affairs	Water Services Plans Provision and delivery of water services	Water Services Authorities/municipalities	Water Services Authorities
National Housing Act, (Act No.107 of 1997)	Department of Human Settlement	Housing Delivery Plans Provision and delivery of housing	National and Provincial Government, Municipalities	National and Provincial Government, Municipalities
National Environmental Management Act (Act No. 107 of 1998)	Department of Environmental Affairs	Environmental Management Plans Environmental Principles Environmental Implementation and management plans	Certain National Departments and Provinces	Relevant department in the province
Environmental Conservation Act	Department of Environmental Affairs	Provides for the effective protection of the environment and controlled utilization of the environment and for matters incidental thereto	Minister, Administrator, Local Authority	Minister, Administrator, Local Authority



Process Plan for Review of 2012-2013 Integrated Development Plan

Municipal Structures Act (Act No.117 of 1998)	CoGTA	Municipal establishment and determination of powers and functions of Municipalities	Municipalities	N/A
Public Finance Management Act (Act No.1 of 1999) & Treasury Regulations	National Treasury	Economic, efficient & effective management of public finances transferred from National or Province to Municipalities through sound accounting and internal control systems	Municipalities	National & Provincial Treasury
Municipal Finance Management Bill (2000)	National Treasury	Economic, efficient & effective management of municipal finances through sound accounting and internal control systems	Municipalities	National & Provincial Treasury
Property Rating Bill (2000)	CoGTA	Creation & maintenance of sustainable municipal rates base	Municipalities	N/A
Promotion of Administrative Justice Act (Act No.3 of 2000)	Department of Justice	Fair administrative procedures	Municipalities	N/A
Promotion of Access to Information Act ((Act No.2 of 2000)	Department of Justice	Freedom of access to public information	Municipalities	N/A
Interim protection of Informal Land Rights Act (Act No.31 of 1996)	Department of Rural and Land Reform	Provides for temporary protection of certain rights which are not otherwise adequately protected by law	Minister of Land affairs	Department of Rural Land Reform
Ingonyama Trust	Department of	Provides for the transfer of all land under the	Former Kwa Zulu	Ingonyama Trust



Act (Act No. 3 of 1994)	Rural and Land Reform	jurisdiction of the former KZN Government to the Ingonyama Trust. His majesty the King has been appointed as the sole trustee of the Trust and Trust is to be administered for the benefit, material welfare and social well-being of the Tribes and communities which have been identified in the KwaZulu Amakhosi and Iziphakanyiswa Act (Act 9 of 1990)	areas	Board
Ingonyama Trust Amendment Act (Act No.9 of 1997)	Department of Rural and Land Reform	<ul style="list-style-type: none"> - Establishes the Ingonyama Trust Board. - Transfers all land in former R293 townships to municipalities. - Transfer land used for state domestic purposes to the National or Provincial Government 	Former KwaZulu areas	Ingonyama Trust Board
Extensions of Security of Tenure Act (Act 62 of 1997)	Department of Rural and Land Reform	Provides for measures with State assistance to facilitate long-term security of land tenure, to regulate the conditions of residence on certain land, to regulate the conditions on and circumstance under which the right of persons to reside on the land may be terminated: and to regulate the conditions and circumstances under which persons , whose right of residence has been terminated, may be evicted from land; and to provide for matters connected therewith	Municipalities	Department of Rural and Land Reform
Labour Tenants Act, (Act No.3 of 1996)	Department of Rural Development and Land	Provides for the security of tenure of labour tenants and those persons occupying or using land as a result of their association with the labour tenants. The date for lodgment of	Municipalities	Department of Land Affairs



Process Plan for Review of 2012-2013 Integrated Development Plan

	Reform	claims in terms of this act has passed. Some 2600 claims have been received by the Provincial Land Reform Office		
Restitution Act, (Act 22 of 1994)	Department of Rural Development and Land Reform	Provides for the restitution of rights in land in respect of which persons or communities were disposed under or for the purpose of furthering the objects of any racially based discriminatory law. (administrative responsibilities with the Provincial Restitution Commission)	Municipalities	Land Restitution Commission
Provision of Land and Assistance Act (Act 126 of 1993)	Department of Rural Development and Land Reform	Provides for the designation of certain land; to regulate the subdivision of such land and the settlement of persons thereon; to provide for the rendering of financial assistance for the acquisition of land and to secure tenure rights; and to provide for matters connected therewith.	Municipalities	Department of Rural and Land Reform
Kwa Zulu Amakhosi and Iziphakanyiswa Act (Act No.9 of 1990)	CoGTA	Provides for the Establishment of Tribal Authorities, Community Authorities and Regional authorities and provides further for powers, functions and duties of such authorities in relation to the acquisition, control, settlement and development of all land within the jurisdiction of these Authorities.	Tribal Authorities, Community Authorities and Regional Authorities	CoGTA



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2. POLICIES

POLICY	RESPONSIBLE DEPARTMENT	SUBJECT MATTER
Reconstruction & Development Programme (RDP)	Presidents Office	Development, planning and service delivery. Local Economic Development
Growth, Employment & Redistribution Strategy (GEAR)	Presidents Office	A (macro-economic) strategy for rebuilding and restructuring the economy. Contents include fiscal policy; monetary and exchange rate policy; trade. Industrial and small enterprises policies; social and sectoral policies; public investment and asset restructuring; employment; wages and training; and policy coordination.
Integrated Sustainable Rural Development Strategy (ISRDS)	Presidents Office	The ISRDS is designed to realize a vision that will attain socially cohesive rural communities with viable institutions, sustainable economics and access to social amenities, able to attract and retain skilled and knowledgeable people, who are equipped to contribute to growth and development.
Urban Development Framework	Department of Human Settlement	Seeks to accommodate growth and job creation orientation of GEAR with the more redistributive and "people development" association of the RDP. It does so through the accommodation of the need to stimulate local economic development and enhanced global competitiveness of South African cities.
Rural Development Framework	Department of Rural Development and Land Reform	The RDF asserts a powerful poverty focus. It describes how government working with rural people aims to achieve a rapid and sustained reduction in rural poverty.
Local Agenda	Department of Agriculture & Environmental Affairs	Blueprint for sustainable development. Delivering basic environmental, social and economic services. Local level planning. Sustainable development of local urban settlement and communities.



	(DAEA)and CoGTA	
White Paper on Sustainable Coastal Development	Department of Environmental Affairs	Sets out a policy that aims to achieve sustainable coastal development in South Africa through integrated coastal management. Sustainable coastal development is enhancing the capacity of current and future generations to realize their human potential, within the context of maintaining diverse, healthy and productive coastal ecosystems.
KwaZulu –Natal Environmental Plan (Draft First Edition)	Department of Agriculture and Environmental Affairs	Provides an assessment of the present state of environmental management in the province
KwaZulu-Natal Provincial & Development Strategy	Premier’s Office	A 2020 vision to create a dynamic, peaceful, secure, healthy, prosperous, educated, democratic, attractive and competitive province.
KwaZulu-Natal Integrated Rural Development white paper	CoGTA	Its purpose is to identify policy instruments and specific strategies through which economic and social development of KZN`s rural areas might be realized.
Land Redistribution for Agricultural Development (LRAD)	Department of Rural Development and Land Reform	Deals with the redistribution and transfer of agricultural land to specific individuals or groups. Deals with commonage projects to improve access to municipal land for grazing purposes
Beneficial Occupation Policy for State Land	Department of Rural Development and Land Reform	Deals with the entitlements of rights holders of Interim Protection of Informal Rights Act of Security of Tenure Act, in respect of state land disposal projects
National Policy Framework for women’s Empowerment and Gender Equality	Premier’s Office	Outlines South Africa’s vision for gender equality and how it intends to realize this deal. It details the overarching principles which will be integrated by all sectors into their own sectoral policies, practices and programs
UN Convention on the rights and welfare of the Child (ratified in 1995 by the Government of South Africa)	Premier’s Office	Recognizes that the child, for the full and harmonious development of his or her personality, should grow up in family environment and in an atmosphere of happiness, love and understanding; the child should be prepared to live an individual life in the society and be brought up in a spirit of peace, dignity, tolerance, freedom, equality and solidarity
UN Declaration on the Rights of	Premier’s Office	Emphasizes the necessity of preventing physical and mental disabilities



Disabled Persons		and of assisting disabled persons to develop their abilities in most varied fields of activities and of promoting their integration as far as possible in normal life.
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