

IDP/ Budget Process Plan: 2012/13 Financial Year



IDP / BUDGET Process Plan

2012/13 IDP and Budget Processes

IDP & BUDGET PROCESS PLAN

FOR THE 2012/13 PLANNING CYCLE

The 2012/13 planning and budgeting cycle represents a new planning and resourcing cycle for the Phumelela Local Municipality; considering the local government elections that will be conducted in 2012. This Process Plan will therefore reflect the stages and interventions required for a completely new planning, development and budgeting cycle, and not only those required for an annual review.

SECTION 1: LEGISLATIVE PLANNING AND BUDGETING FRAMEWORK

Section 25 of the Municipal Systems Act, 2000 requires of the Phumelela Municipality to adopt an IDP in terms of the following requirements:

Adoption of integrated development plans.—(1) Each municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality which—

(*a*) links, integrates and co-ordinates plans and takes into account proposals for the development of the municipality;

(b) aligns the resources and capacity of the municipality with the implementation of the plan;

(c) forms the policy framework and general basis on which annual budgets must be based;

(d) complies with the provisions of this Chapter; and

(*e*) is compatible with national and provincial development plans and planning requirements binding on the municipality in terms of legislation.

In terms of contents, the new IDPs must contain, as a minimum, the following information: Section 26 of the Municipal Systems Act, 2000 - Core components of integrated development plans.—An integrated development plan must reflect—

(*a*) the municipal council's vision for the long term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs;

(*b*) an assessment of the existing level of development in the municipality, which must include an identification of communities which do not have access to basic municipal services;

(c) the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs;

(*d*) the council's development strategies which must be aligned with any national or provincial sectoral plans and planning requirements binding on the municipality in terms of legislation;

(*e*) a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality;

(f) the council's operational strategies;

(g) applicable disaster management plans;

(h) a financial plan, which must include a budget projection for at least the next three years; and

(*i*) the key performance indicators and performance targets of the municipality.

Section 29 of the Municipal Systems Act, 2000: Process to be followed.—(1) The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must—

(a) be in accordance with a predetermined programme specifying time-frames for the different steps;

(b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for—

(i) the local community to be consulted on its development needs and priorities;

(ii) the local community to participate in the drafting of the integrated development plan; and (iii) organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan;

(*c*) provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and

(*d*) be consistent with any other matters that may be prescribed by regulation.

(3) A local municipality must-

(a) align its integrated development plan with the framework adopted ...; and

(*b*) draft its integrated development plan, taking into account the integrated development processes of, and proposals submitted to it by the district municipality.

THE LEGISLATIVE BUDGET FRAMEWORK

Municipal Finance Management Act, 2003: Annual budgets

16. (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.

(2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.

(3) Subsection (1) does not preclude the appropriation of money for capital expenditure for a period not exceeding three financial years, provided a separate appropriation is made for each of those financial years.

Contents of annual budgets and supporting documents

17. (1) An annual budget of a municipality must be a schedule in the prescribed format—

(a) setting out realistically anticipated revenue for the budget year from each revenue source;

(b) appropriating expenditure for the budget year under the different votes of the municipality;

(c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;

(d) setting out—

(i) estimated revenue and expenditure by vote for the current year; and

(ii) actual revenue and expenditure by vote for the financial year preceding the current year; and

(e) a statement containing any other information required by section 215(3) of the Constitution or as may be prescribed.

(2) An annual budget must generally be divided into a capital and an operating budget in accordance with international best practice, as may be prescribed.

Budget preparation process

21. (1) The mayor of a municipality must—

(*a*) co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;

(b) at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for—

(i) the preparation, tabling and approval of the annual budget;

(ii) the annual review of-

(*aa*) the integrated development plan in terms of section 34 of the Municipal Systems Act; and (*bb*) the budget-related policies;

(2) When preparing the annual budget, the mayor of a municipality must-

(a) take into account the municipality's integrated development plan;

(b) take all reasonable steps to ensure that the municipality revises the integrated development plan in terms of section 34 of the Municipal Systems Act, taking into account realistic revenue and expenditure projections for future years;

(c) take into account the national budget, the relevant provincial budget, the national government's fiscal and macro-economic policy, the annual Division of Revenue Act and any agreements reached in the Budget Forum;

(d) consult—

(i) the relevant district municipality and all other local municipalities within the area of the district municipality, if the municipality is a local municipality;

(ii) all local municipalities within its area, if the municipality is a district municipality;

(iii) the relevant provincial treasury, and when requested, the National Treasury; and

(iv) any national or provincial organs of state, as may be prescribed; and

(e) provide, on request, any information relating to the budget—

(i) to the National Treasury; and

(ii) subject to any limitations that may be prescribed, to-

(*aa*) the national departments responsible for water, sanitation, electricity and any other service as may be prescribed;

(bb) any other national and provincial organ of states, as may be prescribed; and

(cc) another municipality affected by the budget.

SECTION 2: ORGANISATIONAL AND STRUCTURAL ARRANGEMENTS

2.1 IDP REPRESENTATIVE FORUM

The IDP Representative Forum will include representatives from the following stakeholders:

- **The Mayor and Councillors**
- □ Senior managers
- **T**raditional leaders
- **CBOs** and NGOs
- **D** Religious organisations
- □ Ward committees
- □ National and Provincial sector departments and institutions
- □ Advocates from organised groups.

Terms of Reference:

- **D** Represent the interests of their 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 the municipal government
- □ Monitor the performance of the planning and implementation process
- Participate in the process of setting up and monitoring "key performance indicators" in line with the "Performance Management Manual".

2.2 IDP STEERING COMMITTEE

The Steering Committee should be a technical working team of dedicated Heads of Departments and senior officials who support the IDP Manager and ensure a smooth planning process. The IDP Manager is responsible for the process but will often delegate functions to members of the Steering Committee. In municipalities where there are relevant portfolio councillors who want to be part of the IDP Steering Committee they should be included. In these cases the appropriate protocol must be considered.

The IDP Steering Committee will include the following stakeholders:

- **D** The Mayor
- Nominated Councillors
- The Municipal Manager and Section 57 Managers
- □ The IDP Advisor (service providers); on an advisory basis

Terms of Reference:

- D Provides terms of reference for the various planning activities
- Commissions research studies
- □ Considers and comments on:
- inputs from sub-committee/s, study teams and consultants
- inputs from provincial sector departments and support providers

- □ Processes, summarises and documents outputs
- □ Makes content recommendations
- □ Prepares, facilitates and documents meetings

2.3 IDP TECHNICAL COMMITTEE

This Committee will be chaired by the Municipal Manager and will be directly accountable to the MM. The main responsibility of the Committee will be to do the technical research and work required to formulate and finalise the content of the IDP.

Terms of Reference:

- To ensure the validity and technical correctness of the information presented to the IDP Representative Forum and Steering Committee.
- **D** To co-ordinate and align matters of mutual concern among the relevant stakeholders.
- □ To facilitate the integration of policies, objectives, strategies and projects into the daily functioning and planning of the municipality.

SECTION 3: IDP AND BUDGET PROCESS FLOW

IDP / BUDGET / PMS INTEGRATION PROCESS PLAN

Planning Period (Stage)	IDP Planning	Budget Alignment	Performance Management System
September 2011	 Finalisation of the 2012/13 IDP / Budget Process Plan Submission of IDP / Budget process plan to COGTA Integration of comments and feedback into the Process Plan 	Mayor and MM starts deliberations about the 2011-2015/16 MTREF budget.	Section 57 managers to sign Performance Agreements and Performance Plans for the 2012/13 financial year
October – November 2011	Council to assess the strategic priorities of the Municipality for the period 2012-2016	 Accounting Officer does an initial review of national policies and priorities and determine the impact thereof on the municipal budget Revenue and expenditure projections Auditor-General returns audit report 	Quarterly assessment of the performance of the municipality and section 57 managers
January 2012	 Identification of priority IDP strategies and projects Strategy and project alignment between district and local priorities Review of key sector plans and priorities Review of municipal strategies, objectives, key performance indicators and targets Determine key IDP projects IDP and strategic planning workshops conducted 	 Revenue projections and proposed services rates and charges Engagement with sector departments and institutions Initial budget plan Recommendations regarding prices increases: bulk resources Accounting officer reviews initial charges to the IDP Review of proposed national and provincial allocations to the municipality 	 Mid-year budget and performance (s. 72) report Annual Report Mid-year assessment of performance of the municipality and section 57 managers
February – March 2012	 Identification of key IDP strategies, programmes and projects for 2012/13 (and to 2015) Consolidation of sector plans and priorities 	Accounting officer finalises and submits to the Mayor proposed budget allocations and plans for the MTREF period 2012/13- 14/15.	Oversight Process and Report

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Planning Period (Stage)	IDP Planning	Budget Alignment	Performance Management System
	 IDP and strategic planning workshops conducted Approval of draft IDP 	Budget workshops conducted.Council approves draft budget	
April – June 2012	 Incorporation of DORA information into the IDP Preparation of Capital Investment Plan Preparation of IDP Implementation Plan Public Participation processes Council approves new IDP 	 Accounting officer publishes the draft budget Budget documentation are revised in accordance with consultative processes Final budget documentation prepared Budget proposals submitted to the Mayor, together with SDBIPs Budget approved by Council 	 Preparation of municipal and departmental SDBIPs in terms of the draft IDP Review of PMS policy Integration of new IDP and budget information into the Municipal PMS

DETAILED IDP PROCESS PLAN

STRUCTURES

Key Intervention	Activities		Time-frames	Responsibility
1. Establish IDP Structures	1.1	Composition of an IDP Steering Committee	30 October 2011	Municipal Manager / IDP Manager
	1.1.1	Scheduling of meetings of the IDP Steering Committee	15 November 2011	Chairperson of the Steering Committee
	1.2	Establishment of the IDP Representative Council	15 January 2012	IDP Steering Committee
	1.2.1	Scheduling of meetings of the IDP Representative Forum	30 January 2012	IDP Steering Committee
	1.3	Establishment of the IDP Technical Committee	15 January 2012	IDP Steering Committee

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	1.3.1	Scheduling of meetings of the IDP Task Team	15 January 2012	IDP Task Team
Involvement of the Municipal Council	1.4	Scheduling of IDP Workshops and meetings for the Municipal Council	Separate Schedule – refer to Appendix A	Mayor

PLANS, PROGRAMMES AND STRATEGIES

Key Intervention	A	Activities	Indicator	Time-frames	Responsibility
				-	
2. Finalization of outstanding Plans, Programmes and	2.1	The Water Services Development Plan	Professional service provider too expensive. Key strategies to be formulated as an interim measure.	26 February 2012	MM, IDP Task Team
Strategies	2.2	The Local Economic Development (LED) Strategy	Professional service provider too expensive. Key strategies to be formulated as an interim measure.	26 February 2012	MM, LED Manager and IDP Task Team
	2.3	A Human Resource (HR) Strategy	Not yet finalized. To be addressed as part of 2009/10 performance cycle.	26 February 2012	MM + Service Provider
	2.4	Comprehensive SWOT Analysis and Risks	To be reviewed	26 February 2012	MM
	2.5	Spatial Development Framework	Available	15 March 2012	MM, IDP Task Team
	2.6	Implementation Plans		15 March 2012	MM, IDP Task Team
	2.7	Disaster Management Plan	Professional service provider too expensive. Key strategies to be formulated as an interim measure.	26 February 2012	MM, IDP Task Team
	2.8	Land Use Management System	Addressed in SDF, not comprehensive		
	2.9	Waste Management Plan	Professional service provider too expensive. Key strategies to be formulated as an interim measure.	26 February 2012	MM, IDP Task Team
	2.10	Infrastructure Investment Plan	Available	15 March 2012	MM, IDP Task Team

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2.11	Anti-Corruption Strategy	Not available. To be compiled	26 February 2012	MM, IDP Task Team
2.12	Analysis of sector requirements	To be reviewed for 2010/11 IDP cycle	15 March 2012	MM, IDP Task Team

STRATEGIC ALIGNMENT

Key Intervention	Activities		Time-frames	Responsibility
3. Alignment of IDP Objectives, strategies	3.1	Alignment with key sector plans, strategies and priorities	15 March 2012	MM, IDP Manager
and programmes with National, Provincial	3.2	Alignment with the Spatial Development Framework	15 March 2012	MM, IDP Manager
and sector priorities	3.3	Alignment with the organizational structure	15 March 2012	MM, IDP Manager
	3.4	Alignment with the municipal budget	15 March 2012	MM, IDP Manager, CFO
	3.5	Alignment with the Water Services Development Plan	15 March 2012	MM, IDP Manager, Manager Technical Services
	3.6	Alignment with the LED Strategy	15 March 2012	MM, IDP Manager
	3.7	Alignment with the Provincial Growth and Development Plan	15 March 2012	MM, IDP Manager
	3.8	Alignment with the functional requirements of the IDP Credibility Assessment Framework	15 March 2012	MM, IDP Manager

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IDP PROCESS PLANNING

Key Intervention	A	Activities	Time-frames	Responsibility
4. Plan the process	4.1	Finalization of the IDP process Plan	30 October 2011	IDP Steering Committee
flow for the 2010/11				
IDP review	4.2	Review and finalization of IDP – related programmes, strategies and plans	31 March 2012	IDP Steering Committee
	4.3	Formulation of initial IDP objectives, strategies, programmes and projects	31 March 2012	IDP Steering Committee
	4.4	IDP Engagement Planning: Community Participation	29 January 2012	Mayor
	4.5	IDP Consideration and Approval Planning	30 March 2012	Mayor, MM
	4.6	IDP Implementation Planning	30 March 2012	Mayor, MM

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SECTION 4: FRAMEWORK FOR COMMUNITY INVOLVEMENT IN IDP PROCESSES

The Phumelela Municipality will conduct community engagement in its IDP, budget and PMS processes in terms of the requirements of Chapters 4 of the Municipal Systems Act and the Municipal Planning and Performance Management Regulations, 2001.

The following mechanisms would be used by the Municipality during the various community engagement sessions:

Participation in the IDP Representative Forum to:

- □ inform interest groups, communities and organisations, on relevant planning activities and their outcomes;
- □ analyse issues, determine priorities, negotiate and reach consensus;
- □ participate in the designing of project proposals and/or asses them;
- discuss and comment on the draft IDP;
- □ ensure that annual business plans and budgets are based on and linked to the IDP; and
- **d** monitor performance in implementation of the IDP.

Conducting meetings or workshops with groups, communities or organisations to prepare for and follow up on relevant planning activities.

Local newspapers will be used to inform the community about engagement sessions and the availability of the draft and final IDP, budgets and PMS. The same information will be made available on the municipal web-site.

The community road shows will be conducted during January – March 2011 to bring the draft IDP and budget to the community.

SECTION 5: COMPREHENSIVE LIST OF LEGISLATION AND POLICIES TO BE CONSIDERED DURING THE IDP AND BUDGET PLANNING PROCESSES

The Constitution of the Republic of South Africa 1996

The Constitution redefined local government as a sphere of government that is distinctive from, yet interdependent and interrelated with provincial and national government. Importantly, the Constitution conferred developmental duties to local government.

5 Year Local Government Strategic Agenda

5YLGSA is a strategic thrust of how government which seeks to improve the functioning of local government sector. It focuses on 5 Key Performance Areas namely:

- 1. Organizational development and transformation
- 2. Service Delivery
- 3. Financial Viability
- 4. LED
- 5. Good Governance and Public Participation

Public Finance Management Act No. 1 of 1999 (as amended by the Public Finance Management Amendment Act No. 29 of 1999)

To regulate financial management in the national and provincial governments; to ensure that all revenue, expenditure, assets and liabilities of those governments are managed efficiently and effectively; to provide for the responsibility of persons entrusted with financial management in those governments; and provide for matters connected therewith.

Division of Revenue Act of 2004

To provide for the equitable division of revenue raised nationally among the national, provincial and local spheres of government for the 2002/2003 financial year; to provide for reporting requirements for allocations pursuant to such divisions; to provide for the withholding and the delaying of payments; to provide for liability for cost incurred in litigation in violation of the principles of cooperative governance and intergovernmental relations; and to provide for matters connected therewith.

Black Communities Development Act No. 4 of 1984

The Act was repealed save for Chapter 6 and the Regulations thereto. As will appear from the above paragraph, this Act is the principal Act 81 of 1988, makes provision for the designation of certain areas as development areas, and makes provision for township establishment.

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Interim Protection of Informal Land Rights Act

This Act recognizes certain informal rights to land. One of the functions of the section is to resettle people who are unlawfully occupying land. In the process, it is incumbent on the section to ensure that the informal rights to land are recognized in the process of such resettlement.

Prevention of Illegal Eviction from and Unlawful Occupation of Land Act of 1998

The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act was promulgated in 1998. The Act repeals the Prevention of Illegal Squatting Act No. 52 of 1951 and makes provision for a fair and equitable process to be followed when evicting people who have unlawfully invaded land, from their homes. The Act also makes it an offence to evict legally without due process of law.

Subdivision of Agricultural Land Act No. 70 of 1970

This Act is used for town planning advice to the Department of Land Affairs on the subdivision of agricultural land.

The Development Facilitation Act No. 67 of 1995

This Act provides directive principles to guide the drafting, adoption and implementation of all policies and legislation for all spheres of government regulating spatial planning, land-use management and land development.

The Townships Ordinance No. 9 of 1969

This Ordinance is used for the establishment of towns, subdivision and consolidation, amendment of the general plan and the amendment of town-planning schemes. The townships board is also instituted in terms of this ordinance.

The Removal of Restrictions Act No. 84 of 1967

In terms of this Act, land use is either changed by means of title conditions or rezoning.

The Less Formal Township Establishment Act No. 113 of 1991

This Act is specifically for guiding rapid township establishment where housing is in dire need.

The Physical Planning Act No. 125 of 1991

This Act governs secondarily land uses on farmland that is not agriculture related by way of permits and it also enables the amendment of guide plans and the evaluation of consistency regarding land development

Municipal Systems Act of 2000

The Act introduces changes towards the manner in which municipalities are organized internally, the way they plan and utilize resources, monitor and measure their performance, delegate authority, render services and manage their finances and revenue. Critically, the MSA formalizes a range of alternative service delivery mechanisms that could be used to complement traditional service rendering mechanisms / arrangements used by municipalities.

This Act also enables the Integrated Development Plans (IDP). The IDP is a single and inclusive strategic plan that must be compiled and adopted by the municipality. IDPs must include a financial plan, performance management plan, disaster plan and a spatial development framework within which all sector plans should be addressed.

Municipal Demarcation Act of 1998

The Municipal Demarcation Act of 1998 provided for the re-demarcation of municipal boundaries and this resulted in the rationalization of 843 municipal entities into 284 larger and possibly economically viable entities.

Municipal Structures Act No. 117 of 1998 as amended in 1999 and 2000

The Act defined new institutional arrangements and systems for local government. Importantly, the Act laid a foundation for local government performance management and ward committee systems.

White Paper on Local Government of 1998

The White Paper on Local Government is a broad policy framework that proposes wholesale changes in the areas of political, administrative structures of local government, electoral systems, demarcations, finances, services, infrastructure development, planning and so forth. The White Paper maps out a vision of developmental local government that is committed to working actively

with citizens to identify sustainable ways of meeting their social, economic and material needs and thereby improve their quality of life. Developmental local government envisages the transformation of municipal administrations into rationalized, representative, less bureaucratic, people-centred, efficient, transparent, accountable and responsive entities.

The Civil Protection Act No. 67 of 1977

The Act empowers the Minister of Provincial and Local Government to declare a "state of a disaster" but it does not instruct other relevant ministries of the actions they should take. Again this Act is more reactive than pro-active.

The Fund Raising Act No. 107 of 1978

It provides for the declaration of a disaster by the President in order to provide relief to the victims of disasters such as a drought disaster.

Disaster Management Act 57 of 2003

Streamlines and unifies disaster management and promotes a risk reduction approach particularly at provincial and local levels. It eliminates the confusion around disaster declaration and addresses current legislative gaps.

Fire Brigade Act No. 99 of 1987

Forms an element of disaster management in terms of norms and standards in the prevention of fires or any hazards leading to risks and or disasters.

National Veld and Forestry Act No. 101 of 1998

It emphasizes the formation of Fire Protection Associations for the purpose of predicting, preventing, managing and extinguishing veld fires.

The National Environmental Management Act of 1999

Provides for environmental management strategies to prevent and mitigate environmental disasters.

Traditional Leadership and Governance Framework Act No. 41 of 2003

The Act provides for the recognition of traditional leaders, their roles and functions, recognition of traditional communities, establishment of traditional councils and matters connected therewith.

Public Audit Act, 2004 (Act 25 of 2004)

The following Acts will be impacted upon by Act No.41 of 2003

House of Traditional Leaders Act No. 6 of 1994

Provides for the establishment of the Free State House of Traditional leaders, and matters connected therewith.

Bophuthatswana Traditional Courts Act No. 29 of 1979

The Act provides for the conferment and assignment of jurisdiction to tribal and community authorities regarding the Administration of justice.

QwaQwa Administration Authorities Act No. 6 of 1983

Provides for the establishment of tribal communities, definition of all categories of traditional leaders and their respective roles. It also provides for the establishment of certain councils for better management, control and administration of affairs within Qwa-Qwa.

Black Administration Act No. 38 of 1927

Provides for the better control and management of Black affairs.

Black Authorities Act No. 68 of 1951

Provides for the administration of communal land and related matters.

National Spatial Development Perspective (NS DP)

The NSDP also includes a mechanism aimed at aligning spatial choices regarding government investment and development spending across all spheres of government. This approach seeks to focus the bulk of fixed investments of government on those areas with the potential for sustainable economic development. In these areas government's objectives of both promoting economic growth and alleviating poverty will be best achieved. In areas of limited potential it is recommended that beyond the level of basic services, to which all citizens are entitled, government should concentrate primarily on social investment such as human resource development, labour market intelligence and social transfers to give people in these areas better information and opportunities to gravitate towards areas with economic potential.

- a) Local Government Transition Act, 1993 (Act 209 of 1993)
- b) Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003
- c) Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004)
- d) Municipal Planning and Performance Regulations, 2001
- e) Physical Planning Act, 1991 (Act 125 of 1991)
- f) Removal of Restrictions Act, 1867 (Act 84 of 1967)
- g) Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)
- h) Township Regulations, 1 May 1970
- i) Townships Ordinance, 1998 (Ord 9 of 1998)
- j) Local Government Laws Amendment Act, 2008
- k) IGR Framework Act
- l) IGR Toolkit
- m) Ward Committee Handbook
- n) Ward Committee Resource Book
- Gazetted Local Government Regulations for the Term of Office of Ward Committee Members as well as National Framework: Criteria for determining Out of Pocket Expenses for Ward Committee Members, 2009 for your consideration and action
- p) Guidelines on establishment of ward committees(page 6 and 19)
- q) Cauldron on Service Delivery Protests
- r) Community Development Workers Programme Handbook
- s) Draft Policy on Community Development Workers Programme
- t) Community Development Workers Programme Masterplan
- u) IDP Framework
- v) LED Strategy
- w) Provincial Assessment report