

11.

CONSIDERATION OF THE 2022/23 ANNUAL REPORT AND ADOPTION OF AN OVERSIGHT REPORT

RG Louw
15 March 2024

Senior Manager: Strategic Services

(028) 313 8071

1. Executive Summary

The purpose of this report is to consider the 2022/2023 Annual Report and to adopt an Oversight Report. **FOR PURPOSES OF CONSIDERING THIS ITEM COUNCILLORS ARE REQUESTED TO ALSO REFER TO THE ANNUAL REPORT, WHICH WAS TABLED ON 31 JANUARY 2024.**

2. Service Delivery and Budget Implementation Plan - IGNITE

Management Services
Strategic Services

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)
Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)

6. Background/Discussion/Evaluation/Conclusion**Background**

In terms of the above legislation a Municipality must prepare an Annual Report for each financial year. The core components of such an annual report must include:

- a. a performance report;
- b. the financial statements;
- c. and audit report on the financial statements; and
- d. the audit report on the performance evaluation

The purpose of the annual report is to:

- provide a record of the activities of the Municipality;

- provide a report on performance in service delivery and against the budget;
- provide information that supports the revenue and expenditure decisions made; and
- promote accountability to the local community for decisions made.

The draft audited annual report, taking cognisance of the above-mentioned requirements, was tabled by the Executive Mayor at the Special Council meeting of 31 January 2024.

The local community was in terms of section 127(5)(a)(ii) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA) invited to submit representations in connection with the draft Annual Report to the Municipality by submitting such representations to the Municipal Manager on or before 29 February 2024.

No comments provided by the public were received as at the date and time of closure.

Comments were received from Western Cape Government: Provincial Treasury, attached as **Annexure C**.

The Municipal Public Accounts Committee (MPAC) also considered the annual report on 8 March 2024. The minutes of the MPAC are attached as **Annexure A**.

The checklist for considering the annual report is attached as **Annexure B**.

Representatives of the Office of the Auditor-General and Provincial Departments of Local Government and Provincial Treasury have been invited to attend the council meeting. Likewise, the chairperson of the municipality's Joint Audit and Performance Audit Committee (JPAC) was also invited to attend the meeting. The MFMA furthermore provides for members of the local community, if any, to address the council.

For purpose of adopting an Oversight Report the MFMA requires the council to consider the annual report to state whether the council:

- approves the annual report, with or without reservations;
- rejects the annual report or;
- refers the annual report back for revision of those components that can be revised.

7. Financial Implications

Not applicable

8. Staff Implications

Report compiled in-house

9. Comments from other Departments, Divisions and Administrations

Various officials were consulted during the information gathering phase.

10. Annexures

Annexure A: Minutes of the Municipal Public Accounts Committee (MPAC)

Annexure B: Checklist for considering the Annual Report

Annexure C: Comments received from Western Cape Government:
Provincial Treasury

(Note: The Final Annual Report for 2022/23 will be distributed as a link via e-mail as part of the electronic agenda.)

RECOMMENDATION TO THE COUNCIL:

that, in terms of Section 129 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA) and having duly considered the 2022/23 Annual Report of the Overstrand Municipality and the content of this item, the said report **be approved** without reservation.

RESPONSIBLE OFFICIAL :

RG LOUW

TARGET DATE FOR IMPLEMENTATION :

NOT APPLICABLE



MEETING OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

MINUTES

DATE : 8 MARCH 2024
VENUE : BANQUETING HALL, CIVIC CENTRE,
HERMANUS
TIME : 11:13

OVERSTRAND**MUNICIPALITY / MUNISIPALITEIT / U-MASIPALA****MINUTES OF A MEETING OF THE MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE HELD IN THE BANQUETING HALL, HERMANUS ON
8 MARCH 2024 AT 11:13**

PRESENT:

Cllr C Tafu-Nwonkwo
Cllr A Komani
Cllr M Nomatiti

OFFICIALS PRESENT:

Ms D Arrison
Ms S Reyneke-Naudé
Ms R Louw
Ms S Swart

ALSO PRESENT:

Mr L Mehlomakhulu (Repr Auditor-
General)
Ms N Henge (Repr Cogta)



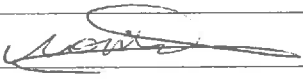
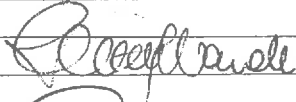



APOLOGIES:

Mr D O'Neill
Ald R de Coning
Cllr K Ngqandana

OVERSTRAND MUNICIPALITY
ATTENDANCE REGISTER

MEETING: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

DATE OF MEETING: 8 MARCH 2024

CLLR C TAFU-NWONKWO	
ALD R DE CONING	Apology
CLLR K NGQANDANA	Apology
CLLR A KOMANI	
CLLR M NOMATITI	
MR D O'NEILL	APOLOGY
MS S REYNEKE-NAUDÉ	
MS D ARRISON	
MS R LOUW	
MS S SWART	
MR L MEHLOMAKHULU (Auditor-General)	Present (Teams)
MS N HENGE (COGTA)	Present (Teams)

MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
8 MARCH 2024

1. OPENING

The Chairperson, Cllr C Tafu-Nwonkwo, opened the meeting and apologised for being late. Cllr A Komani opened with prayer. Dir D Arrison read the notice convening the meeting.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Mr D O'Neill
Ald R de Coning
Cllr K Ngqandana

RESOLVED:

that the above-mentioned applications for leave of absence **be approved**.

3. CONSIDERATION OF THE 2022/2023 ANNUAL REPORT

The Chairperson afforded Mr L Mehlomakhulu from the Auditor-General time to make a presentation.

The Municipal Public Accounts Committee considered the content of the Municipality's 2022/2023 Annual Report.

RESOLVED TO RECOMMEND TO THE COUNCIL:

that the draft Annual Report for the 2022/2023 financial year **be approved** without reservations.

4. CLOSURE

The meeting closed at 11:50.



CHAIRPERSON

13/03/2024

DATE



Reference: PTR 13/5/2

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

For attention: The Municipal Manager Overstrand Municipality, Mr D O'Neill

PROVINCIAL TREASURY COMMENTS ON THE TABLED 2022/23 ANNUAL REPORT

1. INTRODUCTION

- a. MFMA section 121(1) states that every municipality and every municipal entity must for each financial year prepare an annual report. The council of a municipality must within nine months after the end of the financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.
- b. MFMA sections 121(3) and (4) sets out the framework relating to the content of the annual reports for both municipalities and municipal entities.
- c. National Treasury has further introduced the annual report template and MFMA Circular No. MFMA Circular 63 aims to provide guidance to municipalities and municipal entities on the Annual Report format and its contents.
- d. The municipal council is then obliged to consider any views of the local community; the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the Annual Report.

2. LEGISLATIVE COMPLIANCE

2.1 Conformance

The conformance assessment highlights compliance by Overstrand Municipality with the Municipal Finance Management Act No. 56 of 2003 is as follows:

Compliance	Yes/No
The Municipality submitted the draft 2022/23 Annual Performance Report and together with the AFS to the Auditor General by the 31 August 2023, which is within the legislative guideline	Yes The draft Annual Report and Annual Performance Report was submitted to the Auditor General.

Compliance	Yes/No
The unaudited Annual report was tabled in Council at least two months after the end of the 2022/23 financial year, in accordance with MFMA Circular 63.	No MFMA Circular 63 recommends that the unaudited Annual Report be tabled in Council by August.
If not tabled two months after the end of the financial year, the Annual Report was tabled to Council on 31 January 2024 which is within 7 months after the end of the financial year in accordance with MFMA section 127(2).	Yes
The draft Annual Report was made public on the municipal website on 01 February 2024 which in line with MFMA Section 75 was and the public invited to comment by 29 February 2024 .	Yes

2.2 Format and content of the Annual Report as per MFMA Circular 63

Compliance	Yes/No	Gaps Identified/Areas for improvement
The relevant chapters and annexures have been included.	Yes	All chapters have been included. Relevant appendices have been included. Appendix I: Municipal entity/Service Provide Performance references section in report – the page numbers should be checked and corrected (page numbers 139 -175 in draft AR). Appendix J: Disclosure of Financial Interest references Council resolution 11 of 26/06/2013. It is recommended that the resolution be included here (the wording of the resolution) as this would provide clarity to how this is dealt with, given that it is not included in the Annual Report.
The 2021/22 and 2022/23 Audit findings have been included.	Yes	The AG findings have been included.
The Mayor's foreword has been included and contains all the relevant components.	Yes	
The Municipal Manager's foreword has been included.	Yes	
The report includes a comprehensive overview of the demographics, population, growth, highlights and challenges faced in the municipal area during the 2022/23 financial year.	Yes	Good socio-economic information has been included. It also includes an overview of towns within the municipal area.
The Municipality disclosed information on B-BBEE compliance performance information with elements related to Management Control, Skills Development, Enterprise, Supplier Development and Socio-economic development.	Yes	B-BBEE Compliance Performance Information is included under section 3.2.4 (page 175).

3. ORGANISATIONAL DEVELOPMENT AND SERVICE DELIVERY PERFORMANCE

3.1 Key Performance Areas

Strategic Objectives	Number of targets in SDBIP	Number of targets achieved	Number of targets not achieved	Percentage of targets achieved
SO1: The provision of democratic, accountable, and ethical governance	18	13	5	72%
SO2: The provision and maintenance of municipal services	18	13	5	72%
SO3: The encouragement of structured community participation in the matters of the municipality	1	1	0	100%
SO4: The creation and maintenance of a safe and healthy environment	3	2	1	67%
SO5: The promotion of tourism, economic and social development.	7	6	1	86%
	47	35	12	74%

- Overstrand Municipality has achieved a total of 35 (74 per cent) of its overall 47 targets. The performance is a down from that of the 2021/22 financial year where there was an 84 per cent (41 of 49 indicators achieved) success rate.
- Where targets have not been met, comments/corrective measures have been provided to provide a better understanding for why the targets have not been achieved and when they will be achieved. The reasons for the missed targets are specific to each indicator.

3.2 Overview of performance

Service Delivery Performance	<ul style="list-style-type: none"> The Municipality had excellent (100 per cent) performance for strategic objectives 2 and 5 (as numbered in table above) related to community participation and the promotion of tourism, economic and social development respectively. The single missed target in terms of SO5, was in terms of the number of temporary jobs created, where the Municipality made a positive contribution towards job creation in a constrained economic environment with 1 059 temporary jobs created through the Expanded Public Works Programme, against a target of 1 300. Although the target was not achieved, it is a considerable improvement on the previous years' achievement of 837. The Municipality also made positive contributions within the area of SO5, namely, of SMMEs supported in terms of the SMME Development Programme, project/initiative collaborations with other stakeholders for local economic development, social development and tourism, as well as support to emerging contractors. In addition, the Municipality has also approved a tourism strategy. For SO1, 5 targets were missed, relating to the workplace skills plan, performance appraisals, posts on approved organogram filled, employment equity targets as well as for the ratio for outstanding debtors. The first three of these were near misses. The outstanding service debtors is closely related to the change in indigent policy which resulted in the large reduction in the indigent numbers as was also picked up TL32 under SO2 (municipal services), where the number of indigent households dropped to 1 491 against a target of
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	<p>7 300. In its comments the Municipality has indicated corrective measures. By mid-year 2023/24, the indigent totals reached 4 354.</p> <ul style="list-style-type: none"> Under SO2, the road reseal target was also missed; the Municipality indicated to that it will prioritise those not completed in the 2022/23 financial year for the next cycle of the reseal programme. There was also under-performance in terms of the quality of potable water (TL4) and effluent compliance (TL3), coming in at 96.99 per cent (against a target of 98 per cent) and 75.54 per cent (against a target of 80 per cent) respectively. The target for unaccounted water was achieved, however was at 24.48 per cent against a target of 25 per cent; even though in target, it still was a slight regression from the previous years' 24.04 per cent. The Municipality improved performance of unaccounted for electricity, from 7.2 per cent in the previous year, to 6.42 per cent in 2022/23 against a target of 7.0 per cent. There has been an under-performance in capital expenditure (TL33), registering at 89.2 per cent compared to the targeted 95 per cent. The Municipality has communicated its commitment to proceeding with internally funded and housing projects, while also outlining corrective measures.
Financial Performance	<ul style="list-style-type: none"> The Municipality has performed well in terms of its of its financial viability indicators, e.g. in terms of cash to cover operating expenditure, service debt obligations (TL14). Underperformance of the outstanding service debtors and capital performance has been noted in Service Delivery Performance section above.
Organisational Overview	<ul style="list-style-type: none"> The Municipality employed 1 092 employees, against a total of 1 197 approved posts (108 vacancies) in 2022/23. The vacancy rate decreased slightly from 9.42 per cent in 2021/22 to 9.02 per cent; the total posts in the approved organogram remained roughly unchanged, increasing by only one (1), from 1 196 to 1 197 in 2022/23. However, the turnover rate increased somewhat over the last financial year, from 4.01 per cent in 2021/22 to 4.34 per cent in 2022/23. The Director: Community Services became vacant in December 2022 which also impacted the KPI related to performance appraisals due to the vacancy.
Governance	<ul style="list-style-type: none"> For the 2022/23 financial year, the Municipality maintained its clean audit status (unqualified audit with no findings) for the eleventh consecutive year. Additionally, there were no material findings on the reported performance information for the selected strategic objective (The provision and maintenance of municipal services).

4. CONCLUSION AND RECOMMENDATIONS

The Municipality is compliant with legislative requirements as per MFMA Section 75, 121 and 127.

The Municipality has indicated reasons for underperformance and the corrective measures for all targets that were not achieved. These are noted and should serve to improve performance in the 2023/24 financial year. The Municipality should address any risks and challenges as indicated in the sections above, including the stated corrective measure and commitments hereto, in order to improve achieve and improve on performance in the future.

Kind regards



MS NADIA RINQUEST
DIRECTOR: LOCAL GOVERNMENT BUDGET OFFICE
DATE: 29 FEBRUARY 2024

ANNEXURE C TO MFMA CIRCULAR NO 32**CHECKLIST FOR CONSIDERING THE ANNUAL REPORT**

The MFMA provides that the purpose of the annual report of a municipality or a municipal entity for each financial year is:

- to provide a record of activities;
- to provide a report on performance against the budget; and
- to promote accountability to the local community for decisions made throughout the year.

The MSA provides that an annual *performance report* must be prepared for each financial year to report on the performance of the municipality and each external service provider, compared with targets set for performance.

The annual report requirements are provided in Chapter 12 of the MFMA, section 45 and 46 of the MSA and the annual Division of Revenue Act.

The following checklist summarises what must be included in the annual report and is designed to support and guide councillors and officials. It should be noted however, that this list is not exhaustive and from time to time other information requirements may be prescribed. Consideration must also be given to specific circumstances and conditions in which other questions may be appropriate. Councillors and officials are encouraged to make suggestions to enhance this checklist and send these to the National Treasury.

Council should verify that the required information is contained in the annual report and then consider the relevance and accuracy of information accordingly. The checklist provides guidance on how matters could be considered.

The oversight committee and the full council may use this checklist as a means to organise the report and to manage requests for additional information. The questions suggested may be used by all councillors to gain clarification on contents of reports and also to verify compliance with the MFMA and MSA. Responses to many of these questions should be provided by the accounting officer of the municipality and/or municipal entities.

Note that the views of the Audit Committee and the findings of the Auditor-General are primary sources of information to assist council in determining a decision on the annual report.

CHECKLIST FOR CONSIDERING THE ANNUAL REPORT FOR THE 2022/23 FINANCIAL YEAR, OVERSTRAND MUNICIPALITY

Information Required to be Included in Annual Reports	Council Considerations and Questions	Comments
<i>Financial Matters</i>	<i>Financial Reporting Matters to be Considered</i>	
The annual financial statements (AFS) for the municipality and, if applicable, consolidated statements (with all entities) as submitted to the Auditor-General	Where the municipality has sole or effective control of a municipal entity, consolidated financial statements are required. The AFS are to be in the form as required by the applicable accounting standards. MFMA Circular 18 with annexures, 23 June 2005 provides guidelines on the new accounting standards for municipalities. <i>Have the required standards been met – refer audit report and report of audit committee for views on this?</i>	Yes, Annexure A: Financial Statements (AFS) (pg.1 -93)
	The above applies also to the AFS of municipal entities.	n/a
The Auditor-General's reports on the financial statements of the municipality and the entities	<i>Is the audit report included in the annual report as tabled? If not, when will the audit report be tabled? What are causes of the delays? What actions are being taken to expedite the report?</i>	Yes, Annexure B: Report of the Auditor-General
	The above applies also to the AFS of municipal entities.	n/a
Any explanations that may be necessary to clarify issues in connection with the financial statements	The accounting standards require that notes accompany the statements to provide explanations of issues and matters reported. Refer also points below on information in notes to AFS. <i>Taking into consideration the audit report and the audit committee comments, is sufficient explanation of financial issues contained in the notes to the statements?</i>	Yes, Notes attached as part of Annexure A, (pg.34-82) of the AFS
	The above applies also to the AFS of municipal entities.	n/a
An assessment by the accounting officer on any arrears on municipal taxes and service charges including municipal entities.	<i>Has an adequate assessment been included? Is there sufficient explanation of the causes of the arrears and of actions to be taken to remedy the situation? Is any other action required to be taken?</i>	Yes, Chapter 5, Section 5.11-5.12 (pg.414-416)
	The conclusions of the annual audit may be either – <ul style="list-style-type: none"> • an unqualified audit opinion with or without management issues, which 	Yes, Chapter 6 (section 6.2), pg. 421

Information Required to be Included in Annual Reports	Council Considerations and Questions	Comments
<p>Particulars of any corrective action taken or to be taken in response to issues raised in the audit reports</p>	<p>means that the financial statements are acceptable;</p> <ul style="list-style-type: none"> • a qualified audit opinion setting out reasons for qualification, which means that certain issues need to be addressed before an unqualified opinion can be achieved; or • the auditor will disclaim the statements and not offer an opinion. In this case there may be serious financial issues to be addressed. <p>The objective of the municipality should be to achieve an unqualified audit opinion. <i>Taking into account the audit report, audit opinion and the views of the audit committee, council should consider:</i></p> <ul style="list-style-type: none"> • <i>To what extent does the report indicate serious or minor financial issues?</i> • <i>To what extent are the same issues repeated from previous audits?</i> • <i>Is the action proposed considered to be adequate to effectively address the issues raised in the audit report?</i> • <i>Has a schedule of action to be taken been included in the annual report, with appropriate due dates?</i> <p>Note that actions taken on audit issues are to be reported to the provincial legislature, the MEC's for local government and finance to report on any omissions by municipalities in addressing issues. Council should confirm that the audit report has been forwarded to the MEC's.</p>	<p>Annexure B- AG report, paragraph 2 (opinion)</p>
	<p>The above applies also to the AFS of municipal entities.</p>	<p>n/a</p>
<p>An assessment by the municipality's accounting officer of the municipality's performance against measurable performance objectives for revenue collection from each revenue source and for each vote in the approved budget</p>	<p>The budget of the municipality must contain measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the IDP (MFMA's 17(3)(b)). The accounting officer must include these objectives in the annual report and report on performance accordingly. <i>Has the performance met the expectations of council and the community? Have the objectives been met? What explanations have been provided for any non-achievement? What was the impact on the service delivery and expenditure objectives in the budget?</i> Council should comment and draw conclusions on performance and explanations provided.</p>	<p>Yes, Chapter 3, Service delivery performance, (pg. 106 -358)</p>

Information Required to be Included in Annual Reports	Council Considerations and Questions	Comments
<p>An assessment by the municipal entity's accounting officer of the entity's performance against any measurable performance objectives set in terms of the service delivery agreement or other agreement between the entity and the municipality</p>	<p>Agreements between the municipality and its entities for service delivery are to include measurable performance objectives. This will include measures of services delivered to the community, financial targets, expenditure targets, etc. The entity's annual report must include an assessment by the accounting officer, or performance against these objectives. In order to show the linkage between the entity and the municipality, the report of the municipality should also include the performance of entities.</p> <p><i>Has the performance met the expectations of council and the community?</i> <i>Have the performance objectives been met?</i> <i>What explanations have been provided for any non-achievement?</i> <i>What was the impact on the service delivery and expenditure objectives in the budget?</i> Council should comment and draw conclusions on performance and explanations provided.</p>	<p>n/a- no municipal entities</p>
<p>Any information as determined by the municipality, the entity or its parent municipality</p>	<p>Review any other information that has been included in regard to the AFS.</p>	<p>n/a- no municipal entities</p>
	<p>The above applies also to the AFS of municipal entities.</p>	<p>n/a- no municipal entities</p>
<p>Recommendations of the audit committee in relation to the AFS and audit reports of the municipality and its entities.</p>	<p><i>Have the recommendations of the audit committee in regard to the AFS been adequately addressed by the municipality and/or the entity?</i> <i>What actions need to be taken in terms of these recommendations?</i> Conclusions on these recommendations and the actions required should be incorporated in the oversight report.</p>	<p>Yes, Annexure C: Report of the Audit Committee Pg. 2-3. Paragraphs 4, 5, 6,7,8</p>

Information Required to be Included in Annual Reports	Council Considerations and Questions	Comments
<i>Allocations received and made</i>	<i>Considerations</i>	<i>Comments</i>
Allocations received by <u>and</u> made to the municipality	<p>The report should disclose:</p> <ul style="list-style-type: none"> • Details of allocations received from another organ of state in the national or provincial sphere. • Details of allocations received from a municipal, entity or another municipality. • Details of allocations made to any other organ of state, another municipality or a municipal entity. • Any other allocation made to the municipality under Section 214(1)(c) of the Constitution. <p><i>Have these allocations been received and made?</i></p> <p><i>Does the audit report confirm the correctness of the allocations received in terms of DORA and provincial budgets?</i></p> <p><i>Does the audit report or the audit committee recommend any action?</i></p> <p>Council should comment and draw conclusions on information and explanations provided.</p>	<p>Yes,</p> <p>Chapter 5: Financial performance, Section 5.3.1 – grant performance (pg. 385- 389); Section 5.13.3 (pg.417-419)</p> <p>Also- notes of AFS provides detail of government grants and subsidies</p>
Allocations received <u>and</u> made to the municipal entity	<p>The report should disclose:</p> <ul style="list-style-type: none"> • Details of allocations received from any municipality or other organ of state. • Details of any allocations made to a municipality or other organ of state. • Other information as may be prescribed. <p><i>Have these allocations been received and made?</i></p> <p><i>Does the audit report confirm the correctness of the allocations received in terms of DORA and provincial budgets?</i></p> <p><i>Does the audit report or the audit committee recommend any action?</i></p> <p>Council should comment and draw conclusions on information and explanations provided.</p>	n/a
	<p>Section 123 of the MFMA and MFMA guidance circular 11, require that the municipality provide information per allocation received per vote and include:</p> <ul style="list-style-type: none"> • The current year and details of spending on all previous 	<p>Yes,</p> <p>Chapter 5: Financial performance, Section 5.3.1 – grant performance (pg. 385- 389); Section 5.13.3 (pg. 417-419)</p>

Information Required to be Included in Annual Reports	Council Considerations and Questions	Comments
<i>Allocations received and made</i>	<i>Considerations</i>	<i>Comments</i>
Information in relation to the use of allocations received	<p>conditional grants, for the previous two financial years. Information is to be provided per vote. (For example, municipalities must report on all transfers received from provincial housing departments for housing subsidy grants for three financial years, and indicate how such funds were spent, and for what projects.</p> <ul style="list-style-type: none"> • Information stating whether the municipality has complied with the conditions of the grants, allocations in terms of section 214(1)(c) of the Constitution and allocations received from other than another organ of state. Where there is non-compliance, details of the reasons for non-compliance are to be provided. • Information on whether allocations under the DORA were delayed or withheld and the reasons advanced for this. <p>This information is required on all allocations excluding the municipality's portion of the equitable share and where prescribed otherwise by the nature of the allocation.</p> <p>The Auditor-General will ensure that the audit process includes a proper assessment (and reconciliation) on all national grants received by a municipality. Council should consider this aspect of the audit report and comments by the audit committee on the use of allocations received.</p> <p><i>Council should be satisfied that –</i></p> <ul style="list-style-type: none"> • <i>the information has been properly disclosed;</i> • <i>conditions of allocations have been met; and</i> • <i>that any explanations provided are acceptable.</i> <p>The comments of the Auditor-General and the views of the audit committee should be used to determine the accuracy and appropriateness of this information.</p>	
	Municipalities and entities are reminded of the requirements to include, in their	Pg. 414-416 only cites debtors per service. The differentiation by

Information Required to be Included in Annual Reports	Council Considerations and Questions	Comments
<i>Allocations received and made</i>	<i>Considerations</i>	<i>Comments</i>
Information in relation to outstanding debtors and creditors of the municipality and entities	<p>annual financial statements, amounts owed to them and persistently delayed beyond 30 days, by national or provincial departments and public entities.</p> <p>It is also a requirement to report on whether the municipality or entity has met its statutory commitments, included the payment of taxes, audit fees, and contributions for pension and medical aid funds.</p> <p><i>Council should be satisfied that –</i></p> <ul style="list-style-type: none"> • <i>the information has been properly disclosed;</i> • <i>conditions of allocations have been met; and</i> • <i>also that any explanations provided are acceptable</i> <p>The comments of the Auditor-General and the views of the audit committee should be used to determine the accuracy and appropriateness of this information.</p>	national and provincial is available, but not included because it's not a requirement for inclusion in the AR by neither the MFMA, GRAP nor the AG.

<i>Disclosures in notes to AFS</i>	<i>Considerations relating to section 124</i>	<i>Comments</i>
Information relating to benefits paid by municipality and entity to councillors, directors and officials	<p>Information on the following items is to be included in the notes to the annual report and AFS:</p> <ul style="list-style-type: none"> • salaries, allowances and benefits of political office bearers, councillors and boards of directors, whether financial or in kind; • any arrears owed by individual councillors to the municipality or entity for rates and services, which at any time were outstanding for more than 90 days, including the names of councillors; • salaries allowances and benefits of the municipal manager, CEO of a municipal entity, CFO and every senior manager; • contributions for pensions and medical aid; • travel, motor car, accommodation, subsistence and other allowances; • housing benefits and allowances; • overtime payments; • loans and advances; and • any other type of benefit or allowance related to staff. <p><i>Council should be satisfied that –</i></p> <ul style="list-style-type: none"> • <i>the information has been properly disclosed;</i> 	Yes, Notes 29 and 30 in AFS (pg. 61 -63 of AFS, Annexure A)

Disclosures in notes to AFS	Considerations relating to section 124	Comments
	<ul style="list-style-type: none"> • conditions of allocations have been met; and • that any explanations provided are acceptable. <p>The comments of the Auditor-General and the views of the audit committee should be used to determine the accuracy and appropriateness of this information.</p>	

Municipal Performance	Considerations	Comments
<p>The annual performance reports of the municipality and entities</p>	<p>Section 46, MSA requires municipalities to submit a performance report reflecting the performance of the municipality and each service provider, a comparison of the performance with targets set for the previous year and measures taken to improve performance. The report must form part of the annual report. Questions that may be considered are –</p> <p><i>Has the performance report been included in the annual report?</i></p> <p><i>Have all the performance targets set in the budgets, SDBIP, service agreements, etc. been included in the report?</i></p> <p><i>Does the performance evaluation in the annual report compare actual performance with targets expressed in the budgets and SDBIP approved for the financial year?</i></p> <p><i>In terms of key functions or services, how has each performed? E.g., have backlogs for water, sanitation and electricity been reduced? What are the refuse collection volumes, library usage statistics, etc.?</i></p> <p><i>To what extent has performance achieved targets set by council?</i></p> <p><i>Is the council satisfied with performance? Has a customer satisfaction survey been undertaken and, if so, how do the results align with the annual report contents? What were the outcomes of public consultation and public hearings?</i></p> <p><i>What actions have been taken and planned to improve performance?</i></p> <p><i>Is the council satisfied with actions to improve performance?</i></p> <p><i>Did the targets set in the budgets, SDBIP agree with the targets set in the performance contracts of the municipal manager and each senior manager?</i></p> <p><i>Does the report evaluate the efficiency of mechanisms applied to deliver the performance outcomes?</i></p> <p><i>Taking into account the audit report and opinion and the views of the audit committee, is performance considered to be efficient and effective?</i></p>	<p>Yes,</p> <p>Chapter 3, Service delivery performance, pg.106- 358)</p>

Municipal Performance	Considerations	Comments
	<p><i>To what extent have actions planned for the previous year been carried over to the financial year reported upon?</i></p> <p><i>Have any actions planned in the reported year been carried over to the current or future years? If so, are any explanations been provided by the municipal manager and are these satisfactory?</i></p> <p>Council should comment and draw conclusions on information and explanations provided.</p>	
Audit reports on performance	<p>Section 45, MSA requires that the Auditor-General must audit the results of performance measurements, as part of the internal auditing processes and annually.</p> <p><i>Have the recommendations of internal audit been acted on during the financial year?</i></p> <p><i>Have recommendations by internal audit and/or the auditor-general been included in action plans to improve performance in the following year?</i></p>	<p>Yes, Chapter 2: Good Governance, Pg. 92- 94, Section 2.11 (Internal Auditing)</p> <p>Chapter 6: Section 6.2- AG report 2022/23 (pg.421)</p> <p>Annexure C- Report of the AC- pg.3 paragraph 6</p>
Performance of municipal entities and municipal service providers	<p>The annual report of the municipality should provide an assessment of the performance of the municipal entities and all contracted service providers. This is in addition to the separate annual reports of the entities.</p> <p>The report should evaluate the effectiveness of these services and whether alternative mechanisms should be considered.</p> <p><i>Is the council satisfied with the evaluation and conclusions of the municipality?</i></p> <p><i>What other actions are considered necessary to be taken by the accounting officers?</i></p>	<p>Yes, only for contracted service providers, Chapter 3, Section 3.2.3 (pg. 140-175)</p> <p>No municipal entities.</p>
For municipal entities – an assessment of the entity's performance against any measurable performance objectives set in terms of the service delivery agreement or other agreement between the entity and municipality	<p>This is the separate report of the municipal entity and should contain details of service delivery agreements with the municipality and the performance measures therein.</p> <p>Council should consider similar issues to that outlined above for municipal performance to determine a view on the performance of municipal entities.</p> <p><i>To what extent were the objectives and performance measures of the entity aligned to the overall strategic objectives of the municipality and its IDP?</i></p> <p><i>Is the report of the municipal entity consistent with the conclusions on performance evaluation by the municipality?</i></p> <p><i>What specific actions should be taken by the entity and the municipality to improve performance?</i></p>	No municipal entities- not applicable

General Information	The following general information is required to be disclosed in the annual report	Comments
Relevant information on municipal entities	The municipality should disclose all information relating to the municipal entities under the sole or effective control of the municipality. Information to be disclosed includes names and types of entities, members of the board, addresses and contact details for entities, the purpose of the entity, the functions and services provided, the type and term of service level agreements with the entities.	No municipal entities - not applicable
The use of any donor funding support	<p><i>What donor funding has the municipality received?</i></p> <p><i>Have the purpose and the management agreements for the funding been properly agreed upon?</i></p> <p><i>Have the funds been used in accordance with agreements?</i></p> <p><i>Have the objectives been achieved?</i></p> <p><i>Has the use of funds been effective in improving services to the community?</i></p> <p><i>What actions need to be taken to improve utilisation of the funds?</i></p>	Yes, Chapter 5, Section 5.3.3- Grants received from sources other than the DORA (pg.389-390)
Agreements, contracts and projects under Private-Public Partnerships	Information similar to the details of municipal entities should be provided. Council should ensure that all details have been supplied.	No municipal entities - not applicable
Service delivery performance on key services provided	<p>This may be a high-level summary, in addition to detailed information on performance, which sets out overall performance under the strategic objectives of the municipality.</p> <p>Overall results on the strategic functions and services should be summarised.</p> <p>This should cover all services whether provided by the municipality, entities or external mechanisms.</p> <p>Council may draw conclusions on the overall performance of the municipality.</p> <p>This information may be found in an executive summary section of the annual report and or in statistical tables.</p>	Yes, Chapter 3- Service Delivery performance, Figure 10: Overall strategic performance per Strategic objective (pg.120)
Information on long-term contracts	Details of all long-term contracts including levels of liability to the municipality should be included. Council should ensure all information is correctly supplied.	Yes, Chapter 5- Financial Performance, Section 5.13- Borrowings and Investments (pg. 416-417)
Information technology and systems purchases and the effectiveness of these systems in the delivery of services and for ensuring compliance with statutory obligations	<p>Details of significant IT activities should be outlined indicating the effectiveness of the IT projects and the quality of IT services.</p> <p>Council should consider how effectively the IT services support and facilitate performance of the municipality and whether value for money has been obtained.</p> <p>Details of any future IT proposals should be summarised.</p>	Yes, Chapter 3- Section 3.10.4 ICT services (pg.343- 346)

General Information	The following general information is required to be disclosed in the annual report	Comments
	Council should comment and draw conclusions on the information provided.	
Three year capital plan for addressing infrastructure backlogs in terms of the Municipal Infrastructure Grant (MIG) framework	<p>A summary of the long-term capital plans and how these address the backlogs of services in the municipality should be provided. This should include details of types and scale of backlogs, projected cost implications, strategies to address the backlogs and plans proposed and/or approved.</p> <p>The summary here should cross reference to the performance reports in the annual report and also will be highlighted in the coming budgets. Council should consider whether the plans appropriately address the backlogs and are consistent with the strategic policy directions of council and needs of the community.</p>	Pg. 403- 412, MIG spending for 2022/23

Other considerations recommended		Comments
Timing of reports	<p><i>Was the report in the time prescribed?</i> <i>Has a schedule for consideration of the report been adopted?</i></p>	<p>Yes, draft audited tabled at Special Council meeting on 31 January 2024,</p> <p>Public comment period- 8 to 29 February 2024,</p> <p>Final report to Council on 27 March 2024</p>
Oversight committee or other mechanisms	<p><i>What mechanisms have been put in place to prepare the oversight report?</i> <i>Has a schedule for its completion and tabling been adopted?</i></p>	MPAC meeting scheduled, 8 March 2024
Payment of performance bonuses to municipal officials	<p>Refer to Section 57 MSA as amended. Bonuses based on performance may be awarded to a municipal manager or a manager directly accountable to the municipal manager after the end of the financial year and only after an evaluation of performance and approval of such evaluation by the municipal council. Preferably such evaluation should be considered along with the annual report. The basis upon which performance is evaluated for payment of bonuses should be reconciled with the municipal performance reported in the annual report.</p> <p><i>Have bonuses been paid based on achievements of agreed outputs and after consideration of the annual report by council?</i> <i>If so, has a proper evaluation of performance been undertaken?</i> <i>Was the evaluation approved by council?</i> <i>Does the performance evaluation align and reconcile with the performance reported in the annual report? If not, what reasons have been</i></p>	<p>Overstrand municipality pays no performance bonuses for Section 56 appointees.</p> <p>The Municipal Manager (Section 54A appointee) is entitled to a bonus for 2022/23.</p>

Other considerations recommended		Comments
	<p><i>given for non-reporting of the basis of evaluation in the annual report?</i></p> <p><i>Are the payments justified in terms of performance reported in the annual report?</i></p> <p>Conclusions and comments on the evaluation and payment of performance bonuses of council should be included in the oversight report.</p>	