



**Western Cape
Government**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS
AND DEVELOPMENT PLANNING**



Vote 9

Annual Report

2022/23



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Government**



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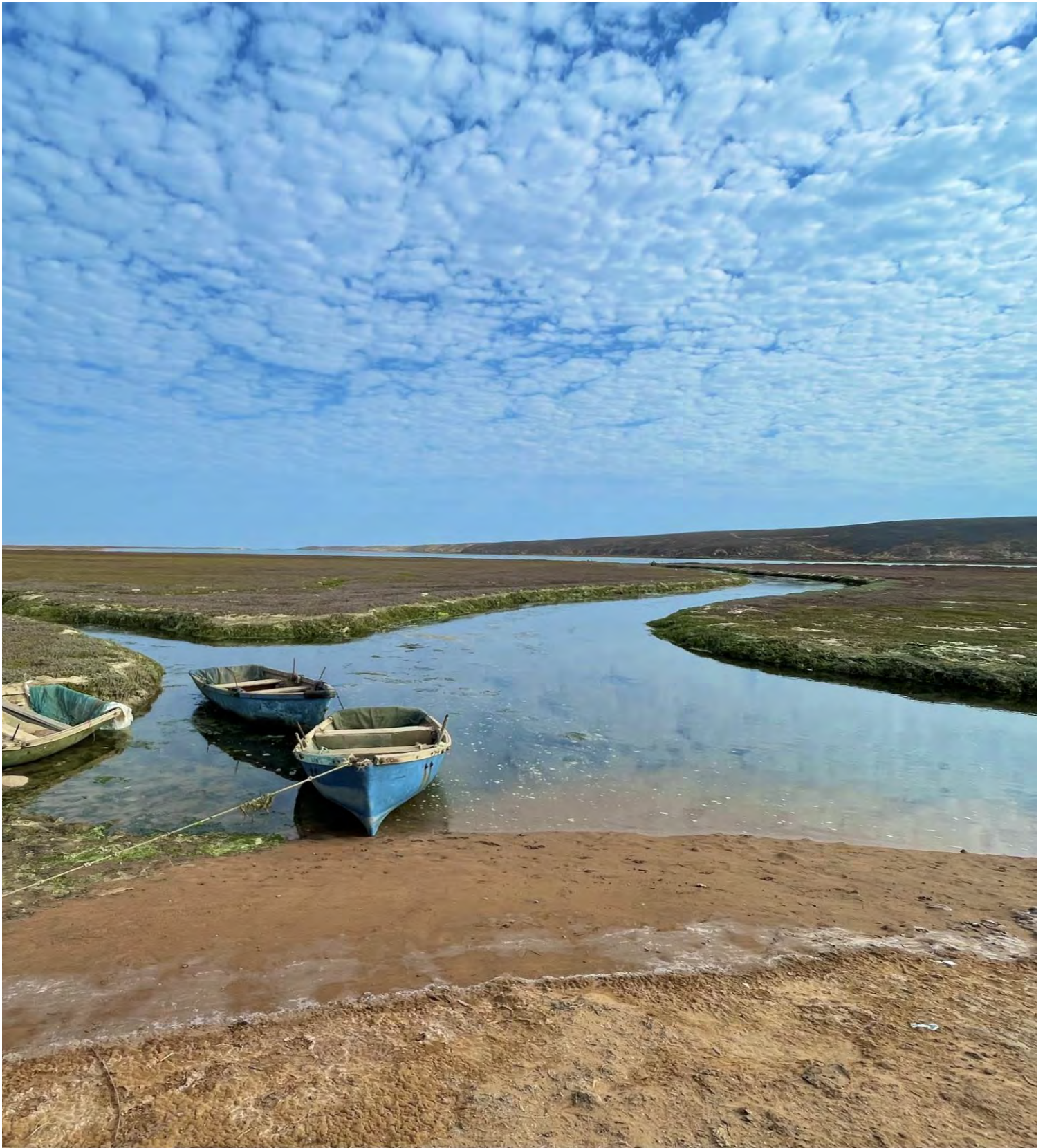
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PART A: GENERAL INFORMATION



Marlene Laros
Fishing boats at Olifants Estuary

1. DEPARTMENT GENERAL INFORMATION

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2. LIST OF ABBREVIATIONS/ACRONYMS

Abbreviations / Acronyms	Descriptions
AEL	Atmospheric Emission Licence
AFOLU	Agriculture, Forestry and Other Land Use
AGSA	Auditor-General South Africa
AIDS	Acquired Immunodeficiency Syndrome
AO	Accounting Officer
AOS	Accounting Officers System
APP	Annual Performance Plan
AQMP	Air Quality Management Plan
AQOFs	Air Quality Officers' Forums
AQOs	Air Quality Officers
B-BBEE	Broad-Based Black Economic Empowerment
BCP	Business Continuity Plan
BSP	Biodiversity Spatial Plan
CAPS	Curriculum and Assessment Policy Statement
CFO	Chief Financial Officer
CGRO	Corporate Governance Review Outlook
CHEC	Cape Higher Education Consortium
CML	Coastal Management Line(s)
CoCT	City of Cape Town
CoE	Compensation of Employees
COVID-19	Corona Virus Disease 2019
CSC	Corporate Service Centre
CWDM	Cape Winelands District Municipality
DEA&DP	Department of Environmental Affairs and Development Planning
DFFE	Department of Forestry, Fisheries and Environment
DLG	Department of Local Government
DotP	Department of the Premier
DPSA	Department of Public Service and Administration
DRP	Disaster Recovery Plan
EAC	Environmental and Culture
EAf	Estuary Advisory Forum
EHW	Employee Health and Wellness
EIA	Environmental Impact Assessment
EIIF	Ecological Infrastructure Investment Framework
EIP	Environmental Implementation Plan
EMF	Environmental Management Framework
EMFIS	Estuary Management Framework and Implementation Strategy
EPWP	Expanded Public Works Programme
ERM	Enterprise Risk Management
ERPP	Environmental Resource Protection Plan
ESD	Education for Sustainable Development
GHG	Greenhouse Gas
GOVCOM	Governance Committee
GPS	Growth Potential Study
GPSSBC	General Public Service Sector Bargaining Council
GRR	Global Risks Report
HCoP	Honeybush Community of Practice

HCRW	Health Care Risk Waste
HFC	Hydrofluorocarbons
HHRA	Human Health Risk Assessment
HIV	Human Immunodeficiency Virus
HoD	Head of Department
ICMA	International City Managers Association
ICT	Information Communication Technology
IDP	Integrated Development Plan
IDRC	International Development Research Center
IGR	Intergovernmental Relations
IP	Intermediate Phase
IPCC	International Panel on Climate Change
IRMSA	Institute of Risk Management South Africa
IWMP	Integrated Waste Management Plan
JDMA	Joint District and Metro Approach
LED	Local Economic Development
LG	Local Government
LG MTEC	Local Government Medium Term Expenditure Committee
LGSS	Local Government Support Strategy
MAB	Man and the Biosphere Programme
MEC	Member of the Executive Council
MIP	Management Improvement Plan
MOP	Municipal Outreach Programme
MSCC	Multi Sectoral Communication Committee
MSDF	Municipal Spatial Development Framework
MTEF	Medium -Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NAAQS	National Ambient Air Quality Standards
NAEIS	National Atmospheric Emissions Inventory System
NAQI	National Air Quality Index
NEM: AQA	National Environmental Management: Air Quality Act
NEM: ICMA	National Environmental Management: Integrated Coastal Management Act
NEMA	National Environmental Management Act
NEMP	National Environmental Management Plan
NGO	Non-Governmental Organisation
NGP	New Growth Path
NPA	National Prosecuting Authority
NST	Natural Sciences and Technology
OD	Organisational Development
OHS	Occupational Health and Safety
OSCA	Outeniqua Sensitive Coastal Area
PAJA	Promotion of Administrative Justice Act
PAY	Premier's Advancement of Youth
PBES	Provincial Biodiversity Economy Strategy
PBSAP	Provincial Biodiversity Strategy and Action Plan
PCMP	Provincial Coastal Management Programme
PDMC	Provincial Disaster Management Centre
PFMA	Public Finance Management Act
PILIR	Policy on Incapacity Leave and Ill-Health Retirement
PPE	Personal Protective Equipment

PSC	Public Service Commission
PSCBC	Public Service Coordinating Bargaining Council
PSDF	Provincial Spatial Development Framework
PSP	Provincial Strategic Plan
PESSPM	Provincial Environment Sector Standardised Performance Measures
PTIs	Provincial Treasury Instructions
RAC	Refrigeration and Air Conditioning
REP	Restore Eden Programme
RSEP	Regional Socio-Economic Projects
RWOP	Remunerative Work Outside of the Public Service
SAAQIS	South African Air Quality Information System
SACE	South African Council for Educators
SALGA	South African Local Government Association
SANBI	South African National Biodiversity Institute
SANParks	South African National Parks
SCM	Supply Chain Management
SDF	Spatial Development Framework
SDG	Sustainable Development Goals
SDIP	Service Delivery Improvement Plan
SEMA	Specific Environmental Management Act
SHERQ	Safety Health Environment Risk and Quality
SIDAFF	Sustainable Infrastructure Delivery and Funding Facility
SMART	Specific, Measurable, Achievable, Realistic, and Timely
SMME	Small, Medium and Micro-Enterprise
SMS	Senior Management Service
SPLUMA	Spatial Planning and Land Use Management Act
SPP	Sustainable Public Procurement
SWMP	Site Waste Management Plan
TRU	Transitional Residential Unit
TSEEP	Teacher Support Environmental Education Programme
TVET	Technical and Vocational Education and Training
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
VIP	Vision Inspired Priority
WC	Western Cape
WC PCASP	Western Cape Provincial Coastal Access Strategy and Plan
WCCCRS	Western Cape Climate Change Response Strategy
WCED	Western Cape Education Department
WCEEF	Western Cape Environmental Educators' Forum
WCG	Western Cape Government
WCIDWRP	Western Cape Integrated Drought and Water Response Plan

3. FOREWORD BY THE MINISTER



Caring for the environment is everyone's responsibility, or, as author Robert Swan puts it: "The greatest threat to our planet is the belief that someone else will save it." Getting this message across to a wider audience is a challenge that everybody at the Department of Environmental Affairs and Development knows very well, and many of us are familiar with the feeling of frustration when it appears nobody is paying attention.

Adding to this is the fact that our budgets are under extreme pressure. Our Directorate Air Quality Management experienced this first-hand when it had to make the difficult decision to decommission the air quality stations at Hout Bay and Oudtshoorn due to budget constraints made worse by high levels of loadshedding.

A year ago, we reacted sceptically to our national government's slow response to the R130 billion made available to South Africa to assist in the transition to greener electricity generation. Now, one year later, we are experiencing unprecedented electricity blackouts, and just keeping the lights on is taking precedence over environmental issues. In some circles it is believed this transition finance could be in danger.

In response to this power crisis, the Western Cape is driving a strategy to reduce reliance on Eskom, and there is an emphasis on the development of green and renewable energy sources, which is good news from an environmental perspective. This, however, also brings new challenges. Municipalities who relied on reselling Eskom power as a source of income will have to revisit its business model. The loss of electricity revenue cannot simply be made up through higher taxes, as this could be the straw that breaks the camel's back of an already overburdened ratepayer's community.

A similar situation is developing in terms of water. The 15-Year Western Cape Integrated Drought and Water Response Plan that was released this year has a strong focus on water saving through various initiatives. If successful, municipalities should in fact be aiming to sell less water going forward, again placing pressure on a traditional stream of income.

Compounding these challenges is the fact that most Western Cape municipalities must plan and budget for growing populations, which means providing electricity and water to more people. I believe the time is right to have a serious conversation on our South African government financial model. We need to revisit the way money is allocated from our national fiscus to provinces and local governments with these new realities as reference.

While these, and many other events are beyond the control or mandate of the department, there where we can make a difference, the Department is performing on the highest level.

I am excited to see the difference our Biodiversity Act will make in our ability to manage our natural environment. This is class leading legislation and something to be proud of.

I am equally pleased with the adaption of our Coastal Management Programme This Programme will play a key role in bringing together the efforts of various spheres and sectors of government, the private sector, and communities, to provide an accessible and well-managed coast for all inhabitants of, and visitors to, the Western Cape.

The adoption of our Inclusionary Housing Framework last year was a bold initiative and I look forward to seeing how it influences our spatial planning and urban development going forward. It remains crucial that we plan and manage very carefully so that we protect the interface between urban development and our natural environment. At the same time, we need to understand that lower income residents need access to housing opportunities that are closer to employment opportunities.

The work being done by the Department with environmental authorisations has not gone unnoticed. The Department was this year recognised as the leading provincial department in administering and managing Environmental Impact Assessment projects in South Africa by the Environmental Assessment Practitioners Association of South Africa. These authorisations are often one of the first legislative requirements for new developments, and as such plays a critical role in the speed with which projects can be completed in.

Waste management is the other side of the conservation coin. Through the Waste Management Directorate, we have set ambitious targets to reduce the volumes of waste that reach landfill sites. Recycling, composting and several awareness community initiatives have been designed and we will continue to emphasise this important aspect of environmental management going forward.

Without effective enforcement, many of our environmental initiatives will not be sustainable, and therefore it is comforting to know that we have a high calibre team in our department. The Green Scorpions from the Western Cape were honoured during the Environmental Compliance and Enforcement Lekgotla Awards of Excellence Event this year for the Best Enforcer (Administrative Enforcement) and for Best Compliance Team (COVID-19 Blitz Operations). The Unit was also recognised with EMI Long Service Awards, which reflects well on our institutional knowledge and continuity within the unit.

It is true that the environment is everyone's responsibility, and yes, working in the environmental space can be a frustrating occupation at times. Yes, our budgets are under pressure, but we can be proud of the work being done by this department and know that we are making a difference.



Anton Bredell

Minister of Local Government, Environmental Affairs and Development Planning

31 August 2023

4. REPORT OF THE ACCOUNTING OFFICER

Overview of the Operations of the Department

The year under review was a challenging year due to the impacts caused by COVID-19 and more recently the effects of loadshedding in terms of the lived reality of the citizens of the Western Cape and increasing service delivery pressures due to the resultant limited fiscal resources and the increasing strain on the staff of the Department. The year was, however, a rewarding year if one considers how the Department managed to address the challenges and the results that were achieved during the year.



Through the leadership of Minister Bredell and the Senior and Middle Management team, and through individual and collective responsibility and effort of all the staff of the Department, the Department during 2022/23 managed to ensure the continuation of its services and the achievement of its targets despite the challenges and pressures faced. The Department during this year maintained some of its operational efficiencies implemented during the previous year, while also making further improvements to its operational efficiencies during 2022/23. The Department during 2022/23 delivered in terms of its services and the targets set in the Annual Performance Plan, while also during this year playing an active part in the efforts to shift from recovery to growth through the development of the Growth for Jobs (G4J) Strategy. The Department ensured that Environmental Resilience, with Climate Change Responses and Water Resilience as key priorities, as well as Spatial Resilience were included as part of the Priority Focus Areas of the Growth for Jobs Strategy. The progress made during 2022/23 in terms of several programmes, strategies and areas of delivery have laid a strong foundation on which to now build and take forward the Growth for Jobs Strategy and other priorities.

Overview of the results and challenges for 2022/23

Spatial transformation and managed urbanisation

In response to the Department's strategic 'Spatial Transformation and Managed Urbanisation' priority, in 2022/23 the Department has:

- Mapped and analyzed the long-term infrastructure investment portfolios of the Western Cape Education Department (WCED), and Western Cape Department of Health and Wellness (DoH&W), with the intention of using data exploration as a means to daylight the implicit spatial strategies of WCED and DoH&W infrastructure planning, highlight joint land acquisition opportunities, and demonstrate a sustained interest in informing the sequencing of the funded Human Settlements, WCED and DoH&W Infrastructure Programmes/Project Management Plans (IPMPs). The project has encouraged inter-departmental collaboration, and highlighted gaps in the existing level of external participation and transparency in the development of the User Immovable Asset Management Plans (U-AMPs), and Human Settlement Business Plans. This work also culminated in providing inputs to the Medium-term Budget Policy Committee (MTBPC) engagements, articulating the pattern shifts of Education and Health infrastructure

investments in space, in relation to the level of vulnerability of settlements, and alignment with the 2014 Provincial Spatial Development Framework (PSDF), which was well received.

- Finalised the Western Cape Inclusionary Housing Policy Framework and concluded four Housing Market Studies in Drakenstein, Stellenbosch, Mossel Bay, and George. The Housing Market Studies provide an excellent understanding of the housing market supply, demand, and gaps within the main settlements of these municipalities. These studies were undertaken in line with the recommendations of the Western Cape Inclusionary Housing Policy Framework and enable municipalities to develop their own Inclusionary Housing Policies.
- Updated the Status Quo of Municipal Spatial Development Frameworks (MSDFs) Annual Report, which provides an indication of the content and process compliance of all 30 MSDF's within the province, and seeks to create a framework to track MSDF implementation.
- Updated and continued the implementation of the MSDF Support Programme, which derives its focus areas from the Status Quo of MSDFs Annual Report. This includes supporting municipalities to develop their MSDFs, participate in MSDF intergovernmental steering committees, and develop various practice notes that seek to improve MSDF content, including one that sets out how a municipality could undertake an annual review of performance of the MSDF. All municipalities were, through the annual budgeting and integrated planning processes, encouraged to undertake an annual MSDF performance review, in order to keep the MSDF front and center in the annual municipal planning, budgeting and investment prioritization processes.
- Updated and continued the implementation of the Capital Expenditure Framework (CEF) Support Programme. This entailed undertaking preparatory work for the development of CEFs for Overstrand Municipality, Swartland Municipality, and Saldanha Bay Municipality; developing a CEF in collaboration with the George Municipality; finalising the CEF in collaboration with the Oudtshoorn municipality; and undertaking a Peer Review of the CEF support programme, draft CEF terms of reference and draft practice note.
- Continue implementing the Regional Socio-Economic Projects (RSEP) Programme, which is the special programme in the department entrusted with implementing practical projects aimed at socio-economic upliftment and spatial transformation. The programme is currently active in 14 municipalities, and focus is currently being scaled up in Swellendam Municipality and Hessequa Municipality. Infrastructure projects, or phases of these projects, have been completed in the towns of Darling, Worcester, Vredenburg, Saldanha, Piketberg, Stellenbosch, Paarl, Ceres (Prince Alfred Hamlet), Mossel Bay, Bredasdorp, Plettenberg Bay and Prince Albert. Three non-infrastructure projects have been completed, covering a precinct plan in Riversdal, a study investigating the impact of derelict Transnet-owned land and station buildings in smaller towns, and a study seeking to create a working definition of spatial transformation.

Climate Change

In pursuance of greater transversality in respect of climate change response actions, the Department has developed two companion pieces to the recently revised Western Cape Climate Change Response Strategy: Vision 2050. The first is an Implementation Plan those details activities, responsibilities and timeframe for the broader responses contained in the higher-order Strategy, as well as institutional and monitoring frameworks. The second is a Biennial Monitoring and Evaluation Report that provides general climate change reference information in conjunction with short discussions on climate-relevant topics currently of importance to the Western Cape, as well as the baseline monitoring framework that links to the Vision 2050 strategy and its Implementation Plan.

There has also been demonstrable progress in developing Adaptation and Mitigation Pathways for the Western Cape. Both require extensive stakeholder consultation and integration with parallel processes in other Departments and sectors and are on course to produce the first deliverables during the coming year (2023/24).

The Department has further led the development of a second iteration of the Environmental Risk and Vulnerability Map for the province. This version refines the mapping of the pilot phase and draws on more relevant or current datasets. The mapping products offer valuable insights and perspectives for spatial and development planning processes and closes the link between the work of the Department and that of the Disaster Management sector.

Water Security

During 2022/23 the Department worked with the Western Cape Department of Local Government on the development of the 15-Year Western Cape Integrated Drought and Water Response Plan and also participated in the internal and external Water Indabas which were coordinated by DLG during the year. During 2022/23 the Department scoped the work to be undertaken during 2023/24 to revise the Western Cape Sustainable Water Management Plan (SWMP). Given that some of the priorities identified in the SWMP have been taken forward by the 15-year Integrated Drought and Water Response Plan, the revision of the SWMP will focus on the themes of ecological infrastructure, water quality monitoring, tackling key pollution sources, and water sensitive design.

There is ongoing monitoring of water quality in both the Berg River and Estuary and the Breede River and Estuary to identify water quality trends, address pollution sources, and to monitor the effectiveness of interventions implemented. Water quality deterioration is a threat to water security due to additional costs of treatment for both agriculture and drinking water. It also threatens biodiversity, including estuaries, which have socio-economic value for tourism and fisheries.

The monitoring in the Berg River and Breede River shows increasing pollution trends downstream of urban areas as well as increasing eutrophication in many areas. This underscores the importance of upgrading human settlements and of finding innovative solutions to mitigate pollution in the interim.

There is also an increasing trend of pollution incidents in the form of sewage spills as result of the impact of loadshedding on water treatment plants and pump stations. The investigation into complaints arising from these incidents and those reported via municipalities is placing much pressure on the limited human and constrained financial resources of the Department.

The Department is also working, together with various partners, to protect river corridors from reinvasion by alien vegetation through riparian rehabilitation post clearing, in order to realise the benefits for water security. Furthermore, the Department is actively seeking partners to expand the innovative work being done by academic institutions on bioremediation using nature-based systems at the Franschhoek Water Hub. The partners doing this work are focused on the water-energy-food nexus where the polluted water is treated for beneficial use either in growing food or other horticultural products, as well as harnessing the energy from sludge or biomass. Lastly, a valuation of a number of wetlands in the Breede catchment will be completed to quantify the benefits (and potential losses) to various sectors.

Air Quality Management

The Department continued to implement the 3rd iteration of the Western Cape Air Quality Management Plan (2021 – 2025) (AQMP). One of the goals focus on the linkages between air quality management and climate change; these linkages continued to be strengthened by actively engaging with the Department's Directorate Climate Change and local authorities in the province. All 30 Municipal AQMPs have been adopted and are being implemented. This is a proud achievement for the Province, as the only outstanding AQMP was adopted by the Beaufort West Local Municipality's Council in August 2022. During this reporting year, the Province had a total of 29 Air Quality Officers (one provincial and 28 municipal). The AQOs of Overberg District Municipality and Langeberg Local Municipality had retired and the filling of their posts is pending. The AQOs shared their experiences and challenges in respect of air quality management and learnt from each other at the quarterly Air Quality Officers' Forums hosted virtually. Face to face or hybrid forums were disregarded due to budget constraints; this does leave a gap in terms of networking with each other and understanding any complex issues related to air quality management in the province.

The Western Cape Ambient Air Quality Monitoring is severely impacted by loadshedding, which is damaging the sensitive equipment at the station locations. In addition, vandalism and aged infrastructure remains a challenge at the Network. This, together with the limited human resource capacity and the reduced budget associated with maintaining an effective and efficiently run Network, have all placed significant strain on the Network. The Department has therefore determined that the number of monitoring locations will be reduced going forward, given the impacts of loadshedding, vandalism, limited human resource capacity and budget constraints. The Department has, however, continued supporting the Western Cape municipalities by providing them access to real-time air quality information to manage air quality in their areas, where measured. The real-time ambient air quality information can be found at, <https://saaqis.environment.gov.za>. The challenges in terms of budget and loadshedding will need to be addressed, given the fragile state of the Western Cape Ambient Air Quality Monitoring Network, as well as the fact that low data recovery impacts on the reporting and management of air quality in the province. The result is that air pollution complaints cannot be wholly addressed if ambient air quality data recovery is less than the National Department of Forestry, Fisheries and the Environment's (DFFE) requirement of 75%.

The air quality regulatory environment is becoming increasingly challenged because of limited human resource capacity and budget, as the Department is becoming increasingly inundated with complaints regarding air pollution. The complaints are often complex and are addressed with the local authorities where it arises. In terms of regulatory environment, the Department as Licensing Authority and its oversight role of municipalities in the province, has ensured that all licenses in the province were processed and issued within legislated timeframes, thus achieving the target of 100% AELs issued in the province. The Department has further ensured that all the atmospheric emissions licensed facilities in the province reported their emissions by the end of this reporting year; thus achieving 100% reporting. A total of eight capacity building workshops were held during the reporting year, either in person, virtual or hybrid. The offerings in respect of capacity building workshops to authorities are increasingly becoming more challenging, given the limited budgets and increased roles and responsibilities in air quality management, with limited human resource capacity.

Waste Management

The Department completed all its deliverables in terms of Waste Management as set out in the 2022/23 Annual Performance Plan. These included several initiatives that aligns with the

National Waste Management Strategy (NWMS), the Provincial Integrated Waste Management Plan (IWMP) and the Departmental objectives.

The following reports were completed in support of the above, viz:

- State of Waste Report 2021
- Sewage Sludge Beneficiation Workshop and Report
- Conducting Organic Waste workshops, presentations and receipt of Organic Waste Diversion Plans from municipalities to inform the Department on their strategies for diversion of 50% of organic waste by 2022, and 100% by 2027. A dashboard to track the organic waste diversion performance of municipalities was developed.
- Conducted a co-design workshop with the Cederberg municipality and informal settlement community representatives to address littering and illegal dumping challenges in a around informal areas. Focused sanitary waste management sessions also took place in order to address the problem of poor sanitary waste management challenges.
- Waste entrepreneurs support is on-going, and the Department embarked on a situational analysis of the Repair and Refurbish sector for household electrical and electronic equipment in the Western Cape. A strategy will also be finalised in the new financial year. A "Give Dignity" Campaign aimed at women waste pickers across the Western Cape was successfully concluded. The dignity bags, sponsored by our industry partners, included sanitary products and other personal hygiene products that were handed out to at least 300 waste pickers. Gender Gap Analysis was conducted for inclusion in the third generation Provincial IWMP.

The Department had also conducted 48 audits of waste management facilities and issued 10 authorizations consisting of 2 waste management licences and 8 variation licences, all of which were within the legislated timeframes.

The challenge that hampers further progress are the budgetary constraints, as more funds are needed to ensure more facilities can be audited, and more resources be recruited to ensure better management of hazardous waste management issues. More funds could also be used to support initiatives within municipalities to achieve and attain the required waste management standards. However, the Department received additional funds from Provincial Treasury to conduct topographical surveys at selected landfill sites (Fiscal Transition Support), as well as funds (Strategic Priority Funds) for addressing areas of non-compliance in the waste management sector.

Biodiversity and Coastal Management

The Western Cape Biodiversity Act, Act 6 of 2021, was assented to by the Premier on 14 December 2021, and is being implemented in a phased process. The first proclamation bringing into effect the key governance arrangements in the Act was published on 11 November 2022, bringing these sections into effect on 15 November 2022. The future phases of implementation will include bringing sections into effect that require regulations.

The reviewed Provincial Biodiversity Strategy and Action Plan, Provincial Biodiversity Economy Strategy required further shaping by the outcomes of the Kunming-Montreal Global Biodiversity Framework adopted at COP15 of the Convention on Biological Diversity and alignment to the new White Paper on the Conservation and Management of South Africa's Biodiversity. The approval of the second generation Provincial Coastal Management Programme (PCMP), 2022-2027 by the Minister marked an important milestone for the Province as lead agency for coastal management in the Province. The PCMP and Provincial Estuary Management Programme has been a key focus during 2022/23.

The PBSAP and PCMP continue to enable the alignment of the plans and actions of all spheres of government and external partners. This alignment and support of biodiversity conservation and coastal management improves the resilience of ecosystem goods and services and ensures that development in the province is sustainable and resilient.

The further development of draft policy for to support the establishment and implementation of Coastal Management Lines in the Province has remained a key focus for enabling coastal resilience. This process has continued while scoping the development of companion regulations which will be developed through a regulatory impact assessment (RIA) process. Draft Coastal Access Bylaws were concluded and disseminated to all coastal municipalities together with a directive to advance the implementation of their statutory mandates.

After the publication of 29 Draft Estuary Management Plans in 2021/22, six (6) EMPs were approved by the Provincial Minister (Blinde, Matjies, Piesang, Sout (Noord), Wadriest and Diep River estuaries) and a further six (6) were finalised for approval, driving forward significantly the implementation of the estuaries programme.

The implementation of the Monitoring and Reporting System for the Performance of CapeNature and the oversight system for Western Cape Biosphere Reserves has remained a priority. This is foundational to good governance in the sector to effect alignment of key agencies and partners to the Provincial and National priorities.

The biodiversity economy work by the Department has focused on ecological infrastructure investment and biomass economies, with reductions in budget allocation limiting planned expansion into other sub sectors. The development of an Ecological Infrastructure Investment Framework, associated partnerships and implementation projects have continued to provide an important mechanism for the coordination of investment into priority ecological infrastructure that can enable the most strategic returns in addressing critical climate and water risks. Ecological Infrastructure has been “mainstreamed” into the developing Western Cape Infrastructure Framework and is seen as a priority intervention in the Growth for Jobs (G4J) Strategy’s *Water Security and Resilience* priority focus area. A critical challenge however is attracting appropriate funding and staffing capacity to drive a truly transversal programme of investment in the Province. The inadequate resourcing of the biodiversity and coastal functions and the stalling of Organisational Design process continues to stifle achievement of these core mandates and strategic priorities.

Environmental Compliance and Law Enforcement

The Department successfully planned and executed, as well as participated in 10 Intergovernmental Compliance and Enforcement Operations in conjunction with other organs of state (such as, the national Department of Water and Sanitation, the national Department of the Forestry, Fisheries and Environment, South Africa Police Services, the Breede-Gouritz Catchment Management Agency, the Western Cape Department of Agriculture, CapeNature, and local authorities) to investigate complaints and ascertain the level of compliance with environmental legislation and authorisations/permits, in the following sectors - agriculture/farming industry, marine and coastal areas (under the auspices of Operation Phakisa) and abattoir waste.

During this review period, the Department issued 251 administrative enforcement notices for non-compliance with environmental management legislation, culminating in an overall compliance percentage rate of 74% compliance with environmental legislation in respective

of administrative enforcement notices issued, and conducted 421 compliance inspections. In respect of Departments' criminal investigations component in conjunction with the National Prosecuting Authority (NPA) successfully secured 2 convictions relating to the illegal clearance of indigenous vegetation in the Sandveld and Overberg areas. One of the convictions obtained is the culmination of an extensive criminal trial, which is a first in the country for indigenous vegetation clearing.

As part of the Department's function in managing the designations of EMI in the province and its supporting role to EMI at the Local Authorities, the Minister for Local Government, Environment and Development Planning designated 27 EMI within the relevant Provincial and Local Authority EMI institutions, during this review period.

In the latest published National Environmental Compliance and Enforcement Report 2021/22, the Department issued the highest number of administrative enforcement notices by an Environmental Management Inspectorate institution in the country. At the 9th Environmental Compliance and Enforcement Lekgotla EMI Awards of Excellence Ceremony 2022, the Department's EMI team were awarded the prestigious awards for the Best Compliance Team 2022 and the Best Administrative Enforcer Official in the country.



Efficient, Effective and Responsive Governance

The performance indicators and subsequent achievement included a favourable audit opinion, an indication that the Department manages its finances effectively and complied with all the relevant financial prescripts.

Gender and Human Rights Mainstreaming

The 2020-2025 Departmental Gender Equity Strategic Framework was expanded in 2021 to include mainstreaming of other vulnerable groups such as children and youth, the elderly and people living with disabilities. The theory of change for this work targets the Departmental culture, governance, and technical mandate areas to embed inclusivity into the Department. The Gender Mainstreaming Forum supported a range of awareness interventions with staff during the year, with particular focus on Disaggregated Data¹, Women's Month and the 16 Days of Activism against gender-based violence.

Disaggregated Data

Data which is disaggregated to provide information on gender, age and disability status allows for the assessment of whether vulnerable or priority groups such as women, youth, persons living with disabilities and the elderly are receiving equitable services and attention as intended by South Africa's Constitution, law and policy. A workshop focused on developing a Disaggregated Data Community of Practice within the Western Cape was held with representatives across government, civic organisations, and academia to explore perceived and real barriers to such data gathering, curation and evaluation. The workshop was well

attended with over 141 participants. This type of personal information is provided with special protection under the Protection of Private Information Act (Act 4 of 2013) and hence needs to be collected, stored and processed in a manner which continues to protect the individual whose data has been collected. This data handling requirement forms part of the capacity building work to be done across data custodians. The Departmental Disaggregated Data Community of Practice will continue to support all stakeholders who wish to develop, share and work with such disaggregated data and utilise it to highlight powerful insights around inequalities and barriers to services which remain in South African society.

Overview of the financial results of the Department

Departmental receipts

The table below provides information on the sources of own revenue collected for the 2022/23 financial year.

Departmental receipts	2022/2023			2021/2022		
	Estimate	Actual Amount Collected	(Over)/Under Collection	Estimate	Actual Amount Collected	(Over)/Under Collection
	R'000	R'000	R'000	R'000	R'000	R'000
Sale of goods and services other than capital assets	752	618	134	665	668	(3)
Fines, penalties and forfeits	2 040	1 951	89	2 000	4 620	(2 620)
Interest, dividends and rent on land	-	3	(3)	-	-	-
Sale of capital assets			-	-	7	(7)
Financial transactions in assets and liabilities	125	3 248	(3 123)	118	189	(71)
Total	2 917	5 820	(2 903)	2 783	5 484	(2 701)

Revenue collected by the Department amounted to R5,820 million which represents an over collection of R2,903 million when compared to the own revenue budget. The over collection is in respect of repayments received from Prince Albert, Stellenbosch, Bitou and Mossel Bay municipalities for the Regional Socio-Economic Projects (RSEP) Programme of which the 2021/22 municipal rollover requests were not approved.

The reasons for under collection on revenue for the 2022/23 financial year is as follows:

- Sale of goods and services other than capital assets – The underspending is in respect of a decrease in applications relating to Environmental Impact Assessments.

- Fines, penalties and forfeits – Lesser NEMA Section 24G fine payments were received in the 2022/23 financial year and this is due to appeal processes that delay the finalisation of the fine and repayments.

The tariff register, reviewed annually, comprises of tariffs of which the majority are determined by national legislation. These include access to information, fines pursuant to an application submitted in terms of Section 24G of the National Environmental Management Act and commission on insurance. Furthermore, the revenue generated by the Department is generally once-off in nature.

No free services were rendered by the Department in the 2022/23 financial year.

Programme Expenditure

The following table reflects a high-level overview of the 2022/23 expenditure against the final appropriation per Programme which includes the application of virements and shifts, inclusive of comparative information for 2021/22

Programme Name	2022/2023			2021/2022		
	Final Appropriation	Actual Expenditure	(Over)/ Under Expenditure	Final Appropriation	Actual Expenditure	(Over)/ Under Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000
Administration	69 940	69 245	695	70 873	70 564	309
Environmental Policy, Planning and Coordination	21 836	21 750	86	19 225	19 137	88
Compliance and Enforcement	33 902	33 488	414	29 091	28 905	186
Environmental Quality Management	84 795	82 965	1 830	86 916	84 376	2 540
Biodiversity Management	306 132	305 669	463	300 107	300 020	87
Environmental Empowerment Services	629	474	155	736	714	22
Development Planning	58 358	57 076	1 282	58 469	57 951	518
Total	575 592	570 667	4 925	565 417	561 667	3 750

The Department spent R570,667 million or 99.1% of its final appropriation and this translates into an underspending of R4,925 million. The underspending is mostly on Compensation of Employees, (R3,680 million which equates to 1.5 % of the final appropriation) which is the result of vacancies after the Adjustments Estimate as well as the delay in the finalisation and payment of accelerated grade progressions and on Goods and Services (R1,245 million which equates to 5.4 % of the final appropriation). Underspending on Good and Services were impacted by the invalidity of the 2017 Preferential Procurement Regulations and no responsive bidders following advertisements of request for quotations.

Included in the actual expenditure for the 2022/23 financial year is a transfer payment of R292.090 million to the public entity, CapeNature.

The reasons for underspending per Programme are as follows:

- Programme 4: Environmental Quality Management – R1,830 million

Underspending on Compensation of Employees stems from the recruitment period between resignations and promotions and the eventual filling of the vacated posts. The delay in finalising and payment of the accelerated grade progressions further contributed to the underspending on Compensation of Employees. The underspending on Goods and Services for this Programme is attributed to initial challenges relating to the impact of the Constitutional Court judgement with respect to the 2017 Preferential Procurement Regulations and unsuccessful bid processes due to proposals exceeding the available budget and several re-advertisements due to no responses on advertisement events. These factors impacted on later contract appointments and spending.

- Programme 5: Biodiversity Management – R463 thousand

The underspending on Goods and Services was in respect of the Ecological Infrastructure Investment Framework – Keurbooms Catchment project that experienced procurement challenges with unsuccessful procurement attempts on EPS. The exploration of a limited bid process resulted in a contract being awarded at the end of the financial year. In addition, underspending also arose due to delays in the delivery of protective clothing as well as procurement challenges on the Coastal Management lines project.

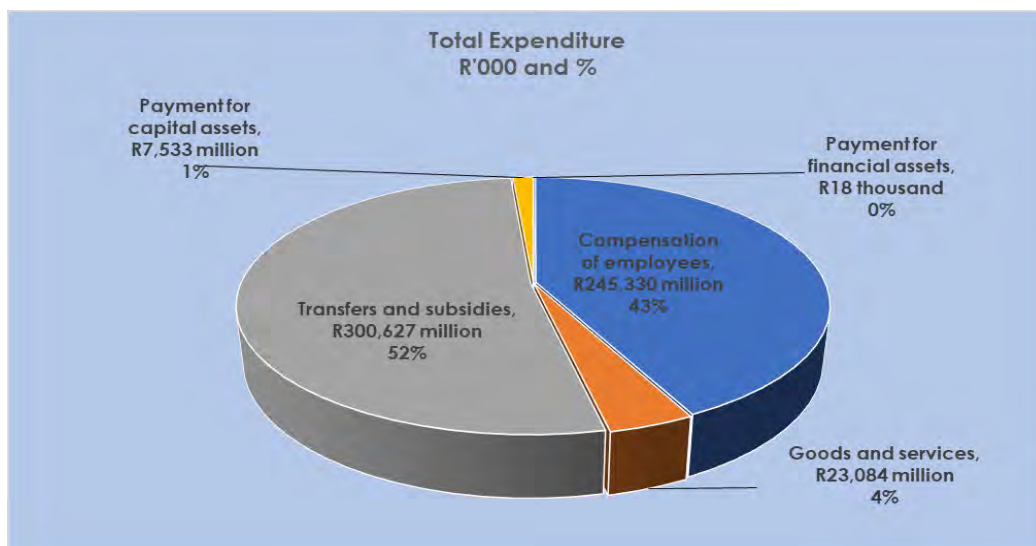
- Programme 6: Environmental Empowerment Services – R155 thousand

Initial challenges relating to the impact of the Constitutional Court judgement on the 2017 Preferential Procurement Regulations and several unsuccessful requests for proposals resulted in a late appointment of a service provider for the Wastepreneurs project. This impacted on the specified timeframe to complete the project which contributed to the underspending of this Programme. Savings also realised on travelling and other operational costs through efficiencies associated with hosting virtual capacity building events instead of face-to-face sessions.

- Programme 7: Development Planning – R1,282 million

The underspending for this Programme is predominantly on Compensation of Employees which stems from the period between resignations and promotions and the eventual filling of the vacated positions and the delay in finalising the accelerated grade progressions. Underspending on Goods and Services is attributed to a video project, to capture completed RSEP initiatives, which was not finalised by year end and could therefore not be paid.

The below diagram depicts spending of the Vote within the Economic Classifications:



Virements

Approved virements between Programmes were applied from savings towards overspending as follows:

Programme (From)	Programme (To)	R'000	Purpose
4. Environmental Quality Management (Compensation of Employees)	5. Biodiversity Management	108	In respect of Compensation of Employees
4. Environmental Quality Management (Goods and Services)	1. Administration	527	In respect of Good and Services
	2. Environmental Policy, Planning and Coordination	460	
	3. Compliance and Enforcement	250	
Subtotal		1 345	
5. Biodiversity Management (Goods and Services)	3. Compliance and Enforcement	98	In respect of Goods and Services
Subtotal		98	
Total		1 443	

The virements were approved on 21 May 2023 by the Accounting Officer in terms of Section 43 (1) of the PFMA and the virements were kept within the eight % limitation in terms of Section 43 (2) of the PFMA. Virements have been applied as follows:

- from Programme 4 (Compensation of employees) to Programme 5 (Compensation of employees).
- from Programme 4 (Good and services) to Programme 1,2, and 3 (Good and services); and
- from Programme 5 (Good and services) to Programme 3 (Good and services).

Application for roll-over of funds from the 2022/23 financial year to the 2023/24 financial year to the value of R970 thousand has been submitted to Provincial Treasury. These are as follows:

Programme	R'000	Purpose
3. Compliance and Enforcement	11	Uniform and Protective Clothing
4. Environmental Quality Management	150	Review of the Sustainable Water Management Plan
	211	Topographical Surveys at selected municipal landfill sites
5. Biodiversity Management	295	Ecological Infrastructure Investment Framework – Keurbooms Catchment
	71	Uniform and Protective Clothing
6. Environmental Empowerment Services	82	Waste Entrepreneurs project
7. Development Planning	150	Video in respect of the RSEP Programme

All above roll-over requests stems from commitments for goods and services still to be delivered.

Strategic focus over the short to medium term period

During 2020/21 and 2021/22 the Department had to respond to the COVID-19 lockdown alert levels and made major changes in how it operated to ensure business continuity while managing the health risk to its staff members, partners and clients. The COVID-19 pandemic showed the importance of good governance, but it also exposed a few risks, vulnerabilities, and inefficiencies that Management could productively engage with. During 2022/23, the Department maintained many of the operational efficiencies made, implemented additional operational efficiencies. The resultant changes in its operations were well received by the Department's clients during 2022/23 as well as by the Department's staff. While the risk associated with COVID-19 have reduced, COVID-19 will remain a focus of ongoing Operational Health and Safety for the Department with ongoing monitoring of changing risk levels.

The Department during 2022/23 delivered in terms of its services and the targets set in the Annual Performance Plan, while also during this year playing an active part in the efforts to shift from recovery to growth through the development of the Growth for Jobs (G4J) Strategy. While the Department's Five-Year Strategic Plan 2020-2025 and the Department's Annual Performance Planning are well aligned to the G4J Strategy, further alignment will be achieved during 2023/24, with the mainstreaming of Climate Change Governance and Spatial Development Governance within Growth for Jobs.

Unauthorised, fruitless and wasteful expenditure.

The Department did not incur any unauthorised, fruitless and wasteful expenditure.

Future plans for the Department

To ensure delivery of the Five-Year Strategic Plan 2020 – 2025 and to contribute to the implementation of the Western Cape Growth for Jobs (G4J) Strategy.

Public Private Partnerships

No public private partnerships were entered by the Department during the 2022/23 financial year.

Discontinued activities / activities to be discontinued

None

New or proposed activities

None

Supply Chain Management

No unsolicited bid proposals were received or concluded during the review period. The supply chain management governance requirements were championed through the respective committee structures, they were the Quotation, Bid Specifications, Bid Evaluation and Bid Adjudication Committees. Various awareness, knowledge and information sharing activities were actioned through Finance Focus meetings at which the financial position and supply chain activities were discussed. Within a reduced budget, in particular for operational and project funding, most procurement activities were completed by means of quotations obtained through the Electronic Procurement System. On a quarterly basis the Department monitored and reported on progress against the approved procurement plan to Provincial Treasury. Prior to the award of any contracts, the Sub-directorate: Internal Control performs, as part of the control measures, a compliance review of all procurement documentation. These measures are part of the supply chain management processes and measures to prevent irregular expenditure.

Procurement planning matters pertaining to the 2022/23 financial year was initially caught up in uncertainty following the Constitutional Court judgment in which the Preferential Procurement Regulations of 2017 were declared unconstitutional. Initially a decision was that the WCG will request exemption from the provisions of the Preferential Procurement Policy Framework Act. This matter was eventually resolved when the Constitutional Court confirmed that the 2017 Preferential Procurement Regulations will remain valid for the remainder of the 12-month period until 26 January 2023.

Gifts and Donations received in kind from non-related parties

Refer to Part B, Section 7 Donor Funding and Part F Annexure 1E.

Exemptions and deviations received from the National Treasury

There were no exemptions from the PFMA or Treasury Regulations or deviation from the financial reporting requirements.

Events after the reporting date

At the reporting date of 31 March 2023, the Department disclosed a contingent liability pertaining to a litigation matter. The matter refers to a combined summons received which amongst other includes the Head of Department of Environmental Affairs and Development Planning. The Department approached the Office of the State Attorney and communicated its non-involvement in the project. The matter has been settled as the action was withdrawn by the plaintiff, "Notice of Withdrawal of Action against 4th Defendant, dated 10 July 2023". The Notice of Withdrawal stipulated that each party carries its own costs. The Department was incorrectly cited in this case and as such the Department shared counsel with the Department of Agriculture. The Department is awaiting advice from the State Attorney on the potential split in costs between the two departments, noting that the Department's view is that Department of Agriculture should be liable for the legal costs.

Acknowledgement/s or Appreciation and Conclusion

I would like to take this opportunity to thank Minister Bredell for his strategic leadership and support throughout the year. I would also like to thank the Department's Senior Management and Middle Management team and all the staff of the Department for the individual and collective responsibility and effort towards ensuring that the Department confronted its challenges and pressures and served present and future generations of citizens of the Western Cape through its delivery during 2022/23.

Approval



Gerhard Gerber
Accounting Officer
31 August 2023

5. STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY FOR THE ANNUAL REPORT

To the best of my knowledge and belief, I confirm the following:

All information and amounts disclosed throughout the annual report are consistent.

The annual report is complete, accurate and is free from any omissions.

The annual report has been prepared in accordance with the guidelines on the annual report as issued by National Treasury.

The Annual Financial Statements (Part F) have been prepared in accordance with the modified cash standard and the relevant frameworks and guidelines issued by the National Treasury.

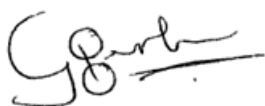
The Accounting Officer is responsible for the preparation of the annual financial statements and for the judgements made in this information.

The Accounting Officer is responsible for establishing and implementing a system of internal control that has been designed to provide reasonable assurance as to the integrity and reliability of the performance information, the human resources information and the annual financial statements.

The external auditors are engaged to express an independent opinion on the annual financial statements.

In my opinion, the annual report fairly reflects the operations, the performance information, the human resources information and the financial affairs of the Department for the financial year ended 31 March 2023.

Yours faithfully



Accounting Officer

Gerhard Gerber

Department of Environmental Affairs and Development Planning

31 August 2023

6. STRATEGIC OVERVIEW

Vision

An environment conducive to sustainable life.

Mission

To promote a resilient, sustainable, quality and inclusive living environment in support of human well-being.

Values

The Department endorses the values of the Western Cape Government and commits itself to delivering services according to the following values.

INNOVATION

TO CONTINUOUSLY LOOK FOR BETTER AND MORE COST-EFFECTIVE WAYS TO RENDER SERVICES

- We strive to be innovative in how we render our services
- We will always be cost-effective in rendering our services
- We will continuously investigate global and local best practices to enhance our own service delivery
- We will facilitate a culture of research and development as an integral part of conducting business
- We will actively integrate intelligence management as part of our business practice

CARING

TO CARE FOR THOSE, WE SERVE AND WORK WITH

- We value all employees and citizens and treat them with dignity and respect
- We listen actively and display compassion towards employees and citizens
- We provide support to – and show interest in each other as employees and the citizens, caring for all our wellbeing
- We show appreciation and give recognition to employees and citizens

COMPETENCE

THE ABILITY AND CAPACITY TO DO THE JOB APPOINTED TO DO

- We are able to do the job we are appointed to do, and always strive for excellence
- We develop and grow our people, enabling and empowering them to do their job in support of service delivery
- We empower employees to - and focus on rendering an excellent service to the people in the Western Cape

ACCOUNTABILITY

WE TAKE RESPONSIBILITY

- We have a clear understanding of our vision, mission, strategic objectives, roles, delegations and responsibilities
- We all deliver on our outcomes and targets with quality, on budget and in time
- We hold each other accountable as Public Servants and know we can trust each other to deliver

- We individually take responsibility and ownership for our work, actions and decisions

INTEGRITY

TO BE HONEST AND DO THE RIGHT THING

- We create an ethical environment by being honest, showing respect and living out positive values
- We seek the truth and do the right things in the right way in each situation
- We are reliable and trustworthy and behave consistently in word and in action
- We act with Integrity at all levels in all instances with zero tolerance for corruption

RESPONSIVENESS

TO SERVE THE NEEDS OF OUR CITIZENS AND EMPLOYEES

- Our focus is the citizen, building relationships that allow us to anticipate their needs and deal with them proactively
- We take each other and citizens seriously, being accessible, listening and hearing their voice
- We respond with timeous action and within agreed timeframes
- We collaborate with each other and stakeholders, providing appropriate and reliable information and sharing it responsibly

7. LEGISLATIVE AND OTHER MANDATES

The Department and its public entity, the Western Cape Nature Conservation Board (CapeNature), derives their legislative mandate in respect of:

- Integrated Environmental Management, including Environmental Impact Assessment, Climate Change Response, Water Management and oversight and support to the WCG and Municipalities in terms of these areas.
- Waste Management, including oversight and support in terms of Municipal Waste Management.
- Air Quality Management, including oversight and support in terms of Municipal Air Management.
- Pollution and Chemical Management, including oversight and support in terms of Municipal Pollution and Chemical Management.
- Coastal Management, including oversight and support in terms of Municipal Coastal Management.
- Biodiversity Management, including Nature Conservation.
- Environmental Law Enforcement.
- Provincial Planning, including Planning Intelligence Management and Research, as well as oversight and support in terms of Municipal Planning.
- Regional Planning and Development.
- Urban and Rural Development.

From the following legislation:

- Constitution of the Republic of South Africa, 1996
- Constitution of the Western Cape, 1998 (Act No. 1 of 1998)
- National Environmental Management Act, 1998 (Act No. 107 of 1998)
- National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)
- National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)
- National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003)
- National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)
- Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)
- Western Cape Health Care Waste Management Act, 2007 (Act No. 7 of 2007)
- Western Cape Land Use Planning Act, 2014 (Act No. 3 of 2014)
- Western Cape Monitoring and Support of Municipalities Act, 2014 (Act No. 4 of 2014)
- Western Cape Biodiversity Act, 2021 (Act 6 of 2021)

POLICY MANDATES

NATIONAL POLICY FRAMEWORK

- White Paper on The Conservation and Sustainable Use of South Africa's Biological Diversity (1997)
- White Paper on Environmental Management Policy for South Africa (1998)
- White Paper on Population Policy (1998)
- White Paper for Sustainable Coastal Development in South Africa (2000)
- White Paper on Integrated Pollution and Waste Management for South Africa (2000)
- White Paper on Spatial Planning and Land Use Management (2001)
- White Paper on National Environmental Management of the Ocean (2014)
- National Policy Development Framework (2020)
- Integrated Urban Development Framework (2016)
- Medium Term Strategic Framework (2019–2024) (for the planning and environmental sector)
- National Climate Change Response White Paper (2011)
- National Development Plan 2030 (2012)
- National Framework for Sustainable Development in South Africa (2008)
- National Spatial Development Framework, Draft (2021)
- National Strategy for Sustainable Development and Action Plan (2011)
- National Waste Management Strategy (2020)
- National Framework on Air Quality Management in South Africa (2017)
- National Protected Areas Expansion Strategy for South Africa (2016)

PROVINCIAL POLICY FRAMEWORK

- OneCape2040 (2013)
- Provincial Spatial Development Framework (2014)
- Western Cape Government: Provincial Strategic Plan (2019–2024)
- Western Cape Green Economy Strategic Framework (2013)
- Western Cape Climate Change Response Strategy (2014)
- Western Cape Climate Change Response Implementation Framework (2014)
- Western Cape Infrastructure Framework (2013)
- Living Cape: A Human Settlements Framework (2019)
- Western Cape Government: Recovery Plan (2021)
- Western Cape Government: Western Cape Provincial Biodiversity Strategy and Action Plan (2015-2025)

UPDATES TO INSTITUTIONAL POLICIES AND STRATEGIES

The Department envisages developing the following legislation:

ENVIRONMENTAL LEGISLATION

NEMA/SEMA RATIONALISATION PROCESS

The Minister of Forestry, Fisheries and the Environment ("the National Minister") and Members of the Executive Council Committee (MINMEC) approved a proposed review of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and the specific Environmental Management Acts (SEMA), including all subordinate legislation. The project, referred to as the NEMA/SEMA Rationalisation Project, aims to harmonise and rationalise the current environmental legal framework.

The NEMA/SEMA Rationalisation Project is a long-term national initiative, and the Department participates as and when required. As one of the initial focus areas of the broader NEMA/SEMA Rationalisation Project, the Department of Forestry, Fisheries and the Environment (DFFE) is proposing the repeal of the Environment Conservation Act, 1989 (Act 73 of 1989) (ECA) (and relevant subordinate legislation), as well as the review of Provincial Acts, Ordinances and Regulations. In order to facilitate this, DFFE requested the Department's inputs on the proposed repeals and review.

The proposed repeal of ECA will have an impact on, inter alia, the Outeniqua Sensitive Coastal Area (OSCA) Regulations and Notices, as well as the Western Cape Noise Control Regulations, 2013, which were promulgated in terms of ECA.

WESTERN CAPE BIODIVERSITY ACT, 2021 (Act 6 of 2021)

The Act reforms the current legislative regime dealing with biodiversity in the Province. The Western Cape Biodiversity Act replaces the Western Cape Nature Conservation Board Act, 1998, and the Ordinances. Both statutes predated the Constitution of the Republic of South Africa, 1996 (the Constitution), and they did not adequately provide mechanisms which can conserve and manage biodiversity and ecological infrastructure to ensure that ecosystem services support an inclusive and resilient economy.

The objectives of the Act are to:

- Give effect to the obligation of the state in terms of national legislation to act as trustee in relation to the environment;
- Give effect to section 81(m) of the Western Cape Constitution, 1997 (Act 1 of 1998), to protect and conserve the environment in the Province, including its unique biodiversity, for the benefit of present and future generations;
- Ensure the long-term ecological sustainability and resilience of biodiversity, ecosystems, ecosystem services and ecological infrastructure through implementation of the principles of ecological sustainability contemplated in clause 6 of the Bill and the protection of priority biodiversity and ecological infrastructure;
- Ensure human Wellbeing and the long-term resilience of society and the economy through the conservation of protected areas, biodiversity, ecosystems, ecosystem services and ecological infrastructure;
- Enable reasonable and sustainable access to benefits and opportunities emanating from the conservation of protected areas, biodiversity, ecosystems, ecosystem services and ecological infrastructure;
- Establish institutional structures and organisational capacity for the effective discharging of the conservation and management of biodiversity and nature in the Province;

- Promote consultation, co-operation, integrated planning, decision-making and management in support of the conservation and sustainable use of biodiversity and ecosystem services in the Province;
- Promote systematic biodiversity planning and the attainment of the biodiversity targets for conservation set in the Biodiversity Spatial Plan and the Provincial Protected Areas Expansion Strategy;
- Regulate certain activities to be undertaken in a manner that enhances and protects the integrity and health of the environment;
- Subject to section 231 of the Constitution, implement and give effect to international agreements and best practices pertaining to the environment and conservation of biodiversity;
- Enable the financial and economic sustainability of the relevant institutions responsible for the conservation and management of biodiversity and nature in the Province; and
- Enable and develop an equitable and sustainable biodiversity economy in the Province, including the promotion and development of eco-tourism in areas under the control of CapeNature.

This Act repeals the following:

- Sea Shore Act, 1935 (Act 21 of 1935);
- Mountain Catchment Areas Act, 1970 (Act 63 of 1970) (the whole in so far as it has been assigned to the Province by Proclamation R28 of 1995);
- Nature Conservation Ordinance, 1974 (Act 19 of 1974);
- Nature Reserves Validation Ordinance, 1982 (Act 3 of 1982);
- Western Cape Nature Conservation Board Act, 1998 (Act 15 of 1998);
- Western Cape Nature and Environmental Conservation Ordinance Amendment Act, 1999 (Act 8 of 1999);
- Western Cape Conservation Laws Amendment Act, 2000 (Act 3 of 2000); and
- Western Cape Biosphere Reserves Act, 2011 (Act 6 of 2011).

SPATIAL PLANNING AND LAND USE MANAGEMENT LEGISLATION AMENDMENTS TO THE WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT NO. 3 OF 2014)

This Western Cape Land Use Planning Act, 2014 (Act No. 3 of 2014) (LUPA) is being amended after six years of implementation. The amendment process has commenced in 2021 with the Land Use Planning Amendment Act assented to by the Premier and published in June 2021. In June 2021 the Western Cape Cabinet also approved the process to commence with the Land Use Planning Second Amendment Bill, which process will continue in the 2023/24 financial year.

The Department of Agriculture, Land Reform and Rural Development has simultaneously started with a process to update the national Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (SPLUMA), which may have an impact on the Western Cape process. Once the Land Use Planning Second Amendment Bill process is concluded, the Western Cape Land Use Planning Regulations, 2015 will also have to be amended.

WESTERN CAPE INCLUSIONARY HOUSING POLICY FRAMEWORK

During 2020/21 and 2021/22 the Department worked on the Western Cape Inclusionary Housing Policy Framework which included research on Housing Market Studies. The Western Cape Inclusionary Policy Framework was adopted during 2022/23. The work to support the Western Cape Municipalities to address Inclusionary Housing within Municipal policies and Municipal Land Use Management Systems is ongoing.

WESTERN CAPE AIR QUALITY MANAGEMENT PLAN (3RD GENERATION)

Provinces and municipalities are required to develop Air Quality Management Plans (AQMPs) to manage air quality in their regions, as per the requirements of Section 15(1) of the NEM: AQA. The AQMPs need to be implementable and effective. Their efficacy needs to be reviewed every five years, and the review is done to establish whether the AQMP goals and targets have been implemented, and to check if they are still valid and relevant after taking into consideration any new developments and economic growth, where implemented.

During 2020 and 2021, members of the public were invited to participate in the review of the Western Cape's 2nd Generation AQMP (AQMP2016). The aim of the review was to assess progress made in terms of implementing the Western Cape AQMP, while identifying potential air quality risks and interventions that can be translated into air quality management (AQM) goals and objectives in going forward, and to confirm its relevance. The COVID-19 pandemic has changed the way the Public Participation Process (PPP) was undertaken. Hence, the PPP made use of online surveys and questionnaires that were made available on the WCG Website, Facebook, LinkedIn and Twitter pages, as well as on the DEA&DP Twitter page. The PPP informed the development of the 3rd Generation AQMP 2021/22, which will be implemented over the next five years in the Western Cape.

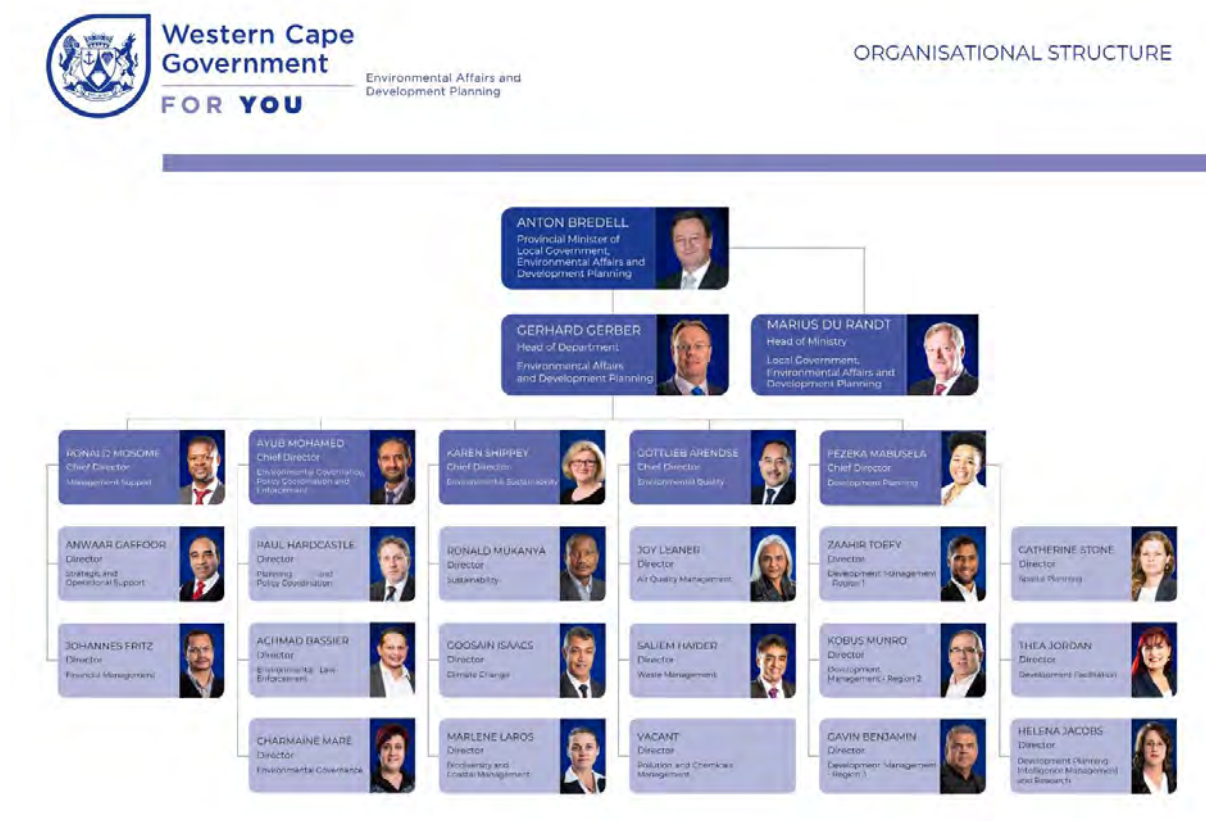
WESTERN CAPE INTEGRATED WASTE MANAGEMENT PLAN (3RD GENERATION)

During 2022/23 of the Department reviewing the 2nd Generation IWMP (2017–2022) and drafted the 3rd Generation IWMP (2023-2027), which is aligned to the National Waste Management Strategy (2020) and provide strategic direction to all municipalities on the implementation of integrated waste management practices, to improve waste management services and promote the waste and circular economies for environmental protection and job creation.

UPDATES TO RELEVANT COURT RULINGS

All judgments relevant to the operations of the Department as handed down by the Constitutional Court, the Supreme Court of Appeal, the High Court, and the Labour Court are perused and implemented, where appropriate and applicable.

8. ORGANISATIONAL STRUCTURE

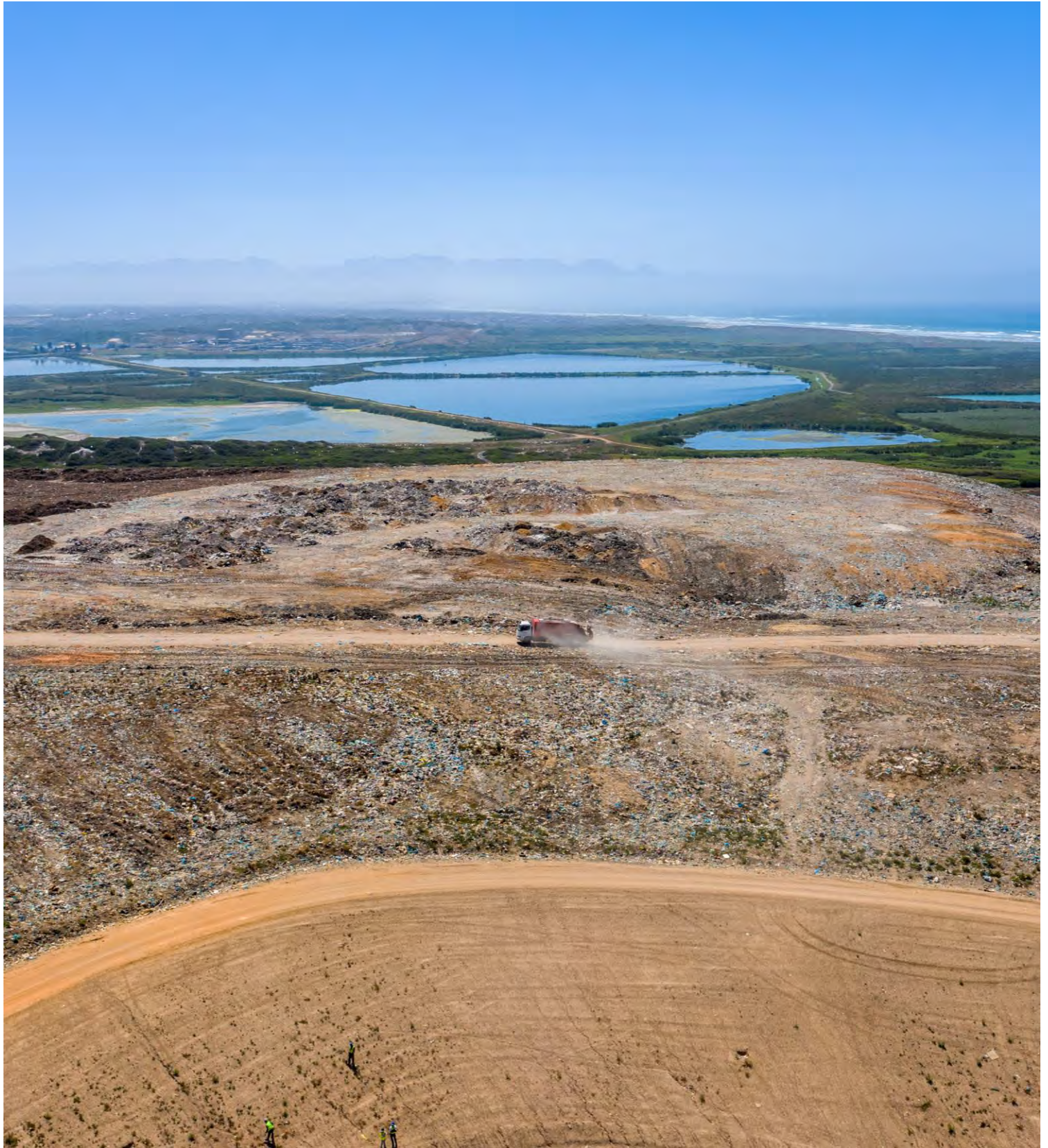


9. ENTITIES REPORTING TO THE MINISTER

The table below indicates the entity that reports to the Minister.

NAME OF PUBLIC ENTITY	MANDATE	OUTCOMES
CapeNature	Western Cape Nature Conservation Board Act, 1998 (Act 15 of 1998)	Enhanced biodiversity conservation. Landscape resilience maintained. Advanced economic sustainability.
Commissioner of the Environment	Western Cape Constitution (s71)	The Commissioner for the Environment listed as a Schedule 3, Part C (PFMA) public entity, has not yet been established. During February 2021, the Standing Committee on the Premier and Constitutional Matters published the Constitution of the Western Cape First Amendment Bill [B 1–2021] to amend the Constitution of the Western Cape (1997), to repeal the provisions regarding the Commissioner for the Environment. This legislative process will determine whether this entity will continue or not.

PART B: PERFORMANCE INFORMATION



Muneeb Baderoon
Coastal Park Waste Management Facility

1. AUDITOR GENERAL'S REPORT: PREDETERMINED OBJECTIVES

The AGSA currently performs certain audit procedures on the performance information to provide reasonable assurance in the form of an audit conclusion. The audit conclusion on the performance against predetermined objectives is included in the report to management, with material findings being reported under the Predetermined Objectives heading in the Report on other legal and regulatory requirements section of the auditor's report.

Refer to page 181 of the Report of the Auditor General, published as Part F: Financial Information.

2. OVERVIEW OF DEPARTMENTAL PERFORMANCE

2.1 SERVICE DELIVERY ENVIRONMENT

Spatial Transformation and Managed Urbanisation

Increased attention is being given to the implementation of environmental planning as an integral part of integrated planning (i.e., integration/alignment between development and environmental planning). The Saldanha Environmental Management Framework (EMF) and the Drakenstein EMF have been completed and the Mossel Bay EMF are in the process of being completed. The implementation of the Saldanha EMF has been reviewed to improved cooperative governance and identify issues to be addressed to improve the achievement of integrated planning outcomes.

In terms of the RSEP Programme as described in Part A, there are currently 14 beneficiary municipalities in the Programme: Saldanha Bay, Swartland, Bergvliet, Witzenberg, Breede Valley, Drakenstein, Stellenbosch, Theewaterskloof, Cape Agulhas, Swellendam, Hessequa, Prince Albert, Mossel Bay and Bitou. Grant funding is provided to these municipalities to implement spatial upliftment projects in neglected areas, most of which are in so-called integration or transition zones. Three non-infrastructure projects have also been completed, covering a precinct plan in Riversdal, a study investigating the impact of derelict Transnet-owned land and station buildings in smaller towns, and a study seeking to create a working definition of spatial transformation.

Western Cape Inclusionary Housing Policy Framework

The Western Cape Inclusionary Housing Policy Framework was adopted by the Western Cape Cabinet in October 2022. To support the implementation of the Policy Framework, studies on the Housing Markets in four of the Western Cape's larger towns (George city area, Mossel Bay/ Kwanonqaba/ Hartenbos, Paarl/ Mbekweni/ Wellington and Stellenbosch town), were also concluded, leading to the drafting of an Inclusionary Housing Policy in at least one of these municipalities. Funding applications were successfully made to continue this research in more towns in the Western Cape, given how well it has been received. Work is ongoing to support the implementation of the Policy Framework, through inter alia advocating for enabling amendments to be made to the Spatial Planning and Land Use Management Act and Land Use Planning Act and encouraging Municipal Spatial Development Frameworks to guide the application of more inclusive housing in the residential sector.

Environmental Impact Assessment (EIA)

The Department has finalised 99% of applications within legislative timeframes. Only two applications were not finalised within the legislated timeframes.

Several measures were implemented to finalise applications within the legislated timeframe. These measures included, amongst others, two-weekly-case-load meetings between case officer and supervisor; manual counting of the 107-day due date of the EA and comparing this with the National Environmental Authorisation System (NEAS); inclusion of due date on the route form of submissions and regular email reminder to managers and competent authority of submissions sent via email. All submissions were received electronically via a central email address and all correspondence to clients were communicated through the same email address as well.

Climate Change and Water Security

The Western Cape Government (WCG), under the leadership of the Department, continues its global participation under The Climate Group – States and Regions Alliance and the Under2 Coalition, in responding to climate change as a regional government. By renewing its membership to the Coalition in November 2022, it reaffirmed its ambition to be net zero by 2050 as well as promoting adaptation and resilience. Work which commenced in 2022 continued on the 2050 Low Emissions Pathway which is critical in identifying actions that need to be implemented to support the just transition to a net zero carbon economy. The Energy Sustainability and Transition to Net Zero Carbon focus area in the provincial Growth For Jobs (G4J) Strategy seeks investment and implementation of renewable energy as the greatest opportunity for emission reduction whilst responding to loadshedding and energy shortages. Other sectors that are also prioritized in the Emissions Pathway include passenger and freight transport, industrial activities as well as buildings. The Department revised the Western Cape Climate Change Response Strategy in 2022, refreshing the approach to its mandate to coordinate and mainstream climate change response in the Western Cape. An Implementation Plan and M&E Framework were developed in conjunction with key stakeholders during 22/2023 and will be presented to Cabinet, Private sector, civil society, and the NGO sector for endorsement as a key part of the region's climate response.

Water security remains one of the most urgent and impactful responses to climate change in the Western Cape, given the anticipated decrease in water availability in the future. Climate Change impact drivers in the form of sea-level rise along the coastline, flooding in informal settlements, heatwaves, losses and degradation of ecological infrastructure require tailored response measures in the form of adaptation roadmaps aimed at a resilient region by 2050. Environmental risks are already being mapped at provincial scale with the Environmental Risk and Vulnerability Mapping project, looking at where the provincial environmental hazards accumulate and where they interact with social and governance vulnerabilities seeks to inform decision-making which will enhance or restore system resilience.

Ongoing monitoring of water quality is taking place in both the Berg River and Estuary and the Breede River and Estuary to identify and address pollution sources, identify water quality trends and to monitor the effectiveness of interventions implemented. The water- and other quality monitoring needs to be extended to other major identified catchments, but the Department does

not have additional resources for this. Estuaries, from ecological and economical perspective, needs improved ecological functioning by addressing deleterious impacts.

Furthermore, the Department, through its role in the implementation of the Ecological Infrastructure Investment Framework (EIIF), and through its collaborative agreement with WWF-SA regarding Strategic Water Source Areas, has played central roles on various platforms specifically focused on water security within the Western Cape Province.

Biodiversity Management

The systematic and participative implementation of the Provincial Biodiversity Strategy and Action Plan (PBSAP), Provincial Biodiversity Economy Strategy (PBES), the Provincial Coastal Management Programme (PCMP) as well as the Provincial Estuary Management Programme enables the alignment of the plans of all spheres of government and external partners. This alignment and support of biodiversity conservation and coastal management improves the resilience of ecosystem goods and services and ensures that development in the Province enhances sustainability and resilience.

The PBSAP continued the drive of key strategic objectives and saw the targeted engagement of local government and priority sectors, such as agriculture, in mainstreaming the Provincial Biodiversity Spatial Plan (BSP) (reviewed during 2022/23 to be adopted during 2023/24). The PBSAP was reviewed to align with new international strategies (notably the Kunming-Montreal Global Biodiversity Framework) as well as updating it to improve on gender and human rights. The Department has continued to engage in strategy development for ecosystems under threat, including working with stakeholders to address the conservation of the Renosterveld, West Coast, the Verlorenvlei and Olifants River estuarine systems, and implementation of the Saldanha Strategic Offset Strategy.

Ecological Infrastructure Investment Framework (EIIF)

The Ecological Infrastructure Investment Framework (EIIF) and its Implementation and Monitoring Plan serves as a critical response to climate and water risk. This Framework represents both the basis for spatial prioritisation and strategic investment strategies to secure the ecosystem provisioning services of key water catchments of the Province. The integration of Ecological Infrastructure as a central theme in key strategies of the Western Cape (including the draft Western Cape Infrastructure Framework, the Western Cape Integrated Drought and Water Response Plan, and the Growth for Jobs (G4J) Strategy) within the Province is key. Given capacity constraints, actions have also been focused on high priority catchments and areas of greatest overlap with other stakeholders, such as Strategic Water Source Areas. The collaboration with WWF-SA for the capacitation of the biodiversity management team with a senior landscape coordinator focused at implementing the EIIF within Strategic Water Source Areas (SWSAs), with an appointment made during 2022. The Department assumes the role of coordinator and facilitator, while other key stakeholders (such as the Western Cape Department of Agriculture and CapeNature) focus largely on project-level implementation.

Implementation-ready projects have also been developed and workshopped with stakeholders and if funding is secured, these serve as a project pipeline.

A catchment prioritisation report was completed for the Province, which identified the catchments that require urgent ecological infrastructure investment based on the risks identified in the EIIF. As a result, a series of catchment-specific projects have been initiated in the Keurbooms catchment. The Keurbooms Ecological Infrastructure Investment Work Group (KEIIWG) was established as the governance structure and platform through which these projects would be coordinated. The group-farms project concluded in the 2022/23 financial year. Noteworthy outcomes from this project include implementation-ready projects for ecological infrastructure investment, written agreement with land users to invest in ecological infrastructure (including co-funding and sweat-equity), as well as improved networking between key role-players (i.e., the KEIIWG and these land users) for future collaboration and alignment of efforts. The next project is to quantify the returns from investment in ecological infrastructure for water quantity and quality in the context of the Keurbooms landscape, the project will commence in 2023/24.

Through the Honeybush Community of Practice (HCoP), the Department together with the Eastern Cape Department of Economic Development and Environmental Affairs is also driving the implementation of the Honeybush Biodiversity Management Plan (HBMP), which was published for implementation in June 2022. The HCoP was instrumental in attracting donor funding for the funding of the implementation of the HBMP by the Garden Route Biosphere Reserve. The project is in its second year and progress over this period included the onboarding of 25 beneficiaries (agripreneurs), planting of first crops including 1000 *Sceletium tortuosum* plants, training and the distribution of seed boxes and growth reels.

Coastal Management

The Western Cape Provincial Coastal Management Programme (PCMP) was reviewed and underwent a gender analysis which informed the amendment of the PCMP. The revised PCMP was co-created and workshopped with coastal stakeholders, including municipalities and other departments as well as civil society over the past two years. The Minister approved the amended Western Cape PCMP 2022-2027 (WC: PCMP 2022-2027) during 2022/23.

The Department continues to achieve in all nine priority areas of the PCMP and has continued to advance the implementation of the projects and strategies as identified in the WC: PCMP 2022-2027, despite financial constraints and caps on cost of employment which have hampered achievements of some targets. Some key achievement include:

The City of Cape Town Coastal Management Line (CML) is the only approved CML in the country. As such, the Department has been called to provide guidance to other provinces as well as the National Department of Forestry, Fisheries and the Environment (DFFE) with the implementation of CMLs. The Department will continue to establish the CMLs in a phased approach over the next few years, focusing on embedding the CML and associated risk information within all decision-making spatial tools. The Department is continuing to develop the 'Western Cape Policy for Coastal Risk Management' in-house.

Coordination and strategic direction were provided through the work of the Provincial Coastal Committee and its members. Support and guidance were provided to the Estuary Advisory Forums around the Western Cape and ongoing support is provided, through attendance of Municipal Coastal Committees and direct engagement, to the Local Government officials dealing with coastal matters.

The Department has supported municipalities to implement the coastal access audits for the Overberg, West Coast and Garden Route Districts as well as to address matters where there is conflict pertaining to public coastal access. Municipal progress in implementing the draft coastal access bylaws is at various stages, some have proceeded to promulgate the bylaws, others are experiencing challenges with either capacity or technical skills. The SD: Coastal Management have conducted specific coastal access capacity building with municipalities within the Garden Route District.

An important component for implementation of activities within the PCMP is the provincial support provided in the form of the Western Cape Estuary Management Programme. The Department has made substantial progress in finalising and approving a number of Estuary Management Plans (EMP) In total twenty-nine (29) EMPs, were placed in the government gazette and regional newspapers by March 2022 for public input and comment. Five EMPs were finalised and prepared for approval and signed off by the MEC in August 2022, A further six EMPs were submitted by March 2023 and the next four EMPs were being prepared for submission to the MEC for approval by the end of 2022/23 which means that 15 of the 29 have now completed the process and are implementation ready. Additionally, the Diep River EMP was submitted by the City of Cape Town in the financial year and approved by Minister Bredell in March 2023. CapeNature finalised 6 Estuary Mouth Maintenance Management Plans for priority estuaries and obtained approval for these from the National Department. CapeNature will be submitting their EMPs for approval to the MEC during 2023/24.

The Department has initiated the enforcement of NEM: ICMA and is dealing with various matters whilst simultaneously developing the administrative process including the developing of relevant forms and templates for the processing of NEM: ICMA Notices. The Department participated in Enforcement blitz operations in all 3 coastal districts and are supporting municipalities and DFFE. These blitz operations have yielded many matters comprising encroachment of Coastal Public Property (CPP) for either enhancement of private coastal properties as well as the protection of private property from impacts of coastal processes. The Department will continue efforts to improve the enforcement of the NEM: ICMA, however actions may not be seen immediately as the process of serving notices require many hours of investigation and preparation and this is hampered by staffing constraints.

Air Quality Management

Capacity building refresher courses were provided virtually and in person to the regulated air quality community, as well as to municipal authorities, on air quality management planning and atmospheric emission licensing during the financial year. The Department continued to implement the Western Cape Air Quality Management Plan (AQMP,) as mandated by Section 31 of the National Environmental Management Air Quality Act (Act No. 39 of 2004) (NEM: AQA). During this financial year, the Beaufort West Municipality adopted its AQMP, bringing the total number of AQMPs adopted in the province to 31, viz. 1 Provincial and 30 Municipal AQMPs. The number of designated Air Quality Officers in the province is 27, after three officers retired, viz. Overberg, Breede Valley and Langeberg Municipalities.

The Western Cape Licensing Authorities continued to implement the Atmospheric Emission Licensing system in the Province. One Atmospheric Emission Licence (AEL) was issued during the financial year, in terms of the Section 21 Listed Activities of NEM: AQA. In concert with this, regulated facilities continued to report their atmospheric emissions to the National Atmospheric

Emissions Inventory System (NAEIS), with all facilities having submitted their NAEIS reports online by 31 March 2023. The Emission Inventory was updated and remains an important tool that link air quality regulatory systems and climate management, in terms of managing and reducing greenhouse gases and other air pollutants in the Province.

The Department's Ambient Air Quality Monitoring Network ("the Network") comprises of 12 ambient air quality monitoring stations located across the Province. The monitoring data collected contributed towards informing the National Air Quality Index, with all stations in the Western Cape Network reporting real time ambient air quality data to the South African Air Quality Information System. Overall, the ambient air in the Province is of a good quality; priority air pollutants were generally below the National Ambient Air Quality Standards.

Where exceedances were observed, these were likely due to residential wood burning, refuse burning and dust from unpaved roads or construction, as well as natural weather events related to high wind speeds and temperature inversions. However, increasing trends in particulate matter and ground level ozone has been observed in recent years, especially in areas with reduced vegetation cover and high traffic volumes.

The Network is severely impacted by loadshedding, which is damaging the sensitive equipment at the station locations. In addition, vandalism and aged infrastructure remains a challenge at the Network. This, together with the limited human resource capacity and the reduced budget associated with maintaining an effective and efficiently run Network, have all placed significant strain on the Network. The Department has therefore determined that the number of monitoring locations will be reduced going forward, given the impacts of loadshedding, vandalism, limited human resource capacity and budget constraints.

Waste Management

The Department developed the Western Cape Integrated Waste Management Plan (WC IWMP) 2023-2027 during the 2022/23 financial year. The development of the WC IWMP was undertaken in two phases. The 2021/22 financial year focused on the development of the Situational Analysis and Gender Gap Analysis, whereas the 2022/23 financial year was aimed at the development of the Implementation Plan. An extensive public participation process was followed including the hosting of workshops, the placement of notices in the Provincial Gazette and selected newspapers as well as on the Departmental Website in English, Afrikaans and IsiXhosa. Hard copies of the draft WC IWMP and executive summaries were placed at the offices of municipal managers. The draft WC IWMP and executive summaries were made available electronically to Provincial Library Services for circulation to libraries across the province and, to all Municipalities to circulate to stakeholders.

Waste Management conducted audits of waste management facilities and issued 2 new waste management licences, and 8 variation licences all of which were within the legislated timeframes.

The challenge that hampers further progress are the budgetary constraints, as more funds are needed to ensure more facilities can be audited, and better support rendered to municipalities and other waste management stakeholders, and dedicated human and financial resources are sorely needed to ensure better management of hazardous waste management. More funds are required to support initiatives within municipalities to achieve and attain the required waste management standards. The Department submitted a Project Initiation Document (PID) to request additional funding from Provincial Treasury (Strategic Priority Funds) to assist municipalities

in achieving improved compliance with waste management license conditions and environmental concerns. R5m was allocated to Waste Management for the 2023/24 financial year. In addition, Provincial Treasury (Fiscal Transition Support) also made funds available (R753 000 over 3 financial years) to undertake topographical surveys of selected landfill facilities to determine the remaining airspace at these facilities, in order for municipalities to improve their waste management planning in terms of infrastructure needs.

The waste worker surveys to monitor effective implementation of the waste management guidelines and protocols, as well as waste worker infections continued to be conducted once a month. The Department also played a lead role in setting up the Waste Picker Support system, which will assist waste pickers financially during the pandemic as well as to provide appropriate personal protective equipment. Waste diversion for the WC is at 36% (2022-2023), which is an improvement on previous years after a reduction in waste diversion was seen due to impact of the COVID-19 pandemic and the economic challenges which the country is experiencing.

The Department has conducted a few interventions to increase waste diversion in the Western Cape. These include a situational analyses study of the repair and refurbish sector for household electrical and electronic equipment in the Western Cape and will be finalising a strategy to stimulate this sector in the new financial year. Support to municipalities with the implementation of their waste entrepreneur's integration projects is ongoing and site visits to targeted municipalities took place to further identify areas for support to ensure that these projects are successfully implemented. The Department also arranged knowledge sharing and networking seminars with various stakeholders in the recycling and organic waste sectors. The Department's support to strengthening waste management capacity within municipalities is ongoing and the Department facilitated co-design workshops with municipalities and targeted communities in informal settlements to address challenges around illegal dumping and littering. The issue of sanitary waste management was identified as a challenge and the Department is collaborating with stakeholders to find solutions to this problem.

The Department continues to document waste pickers across the Western Cape and embarked on a "Give Dignity" campaign together with our Western Cape recycling Action group partners to bring relief through the provision of much needed sanitary products to women waste pickers.

Western Cape Environmental Education Forum (WCEEF)

The Department contributes towards improving the quality of Education in the Western Cape Education Department (WCED) schools by building the competencies of teachers in teaching science with a focus on Education for Sustainable Development (ESD). ESD is recognised as a key element of quality education and a crucial enabler for sustainable development as it ensures inclusive and equitable quality education and promote lifelong learning for all. An important contribution is the ongoing coordination of the Western Cape Environmental Educators' Forum (WCEEF) now known as the "Friends of EE", which meets quarterly. Driven by the Intergovernmental Relations Framework Act, No.13 of 2005, the forum has expanded to embody a network of intergovernmental entities (*both public and private*) that have environmental education and awareness as their core mandate.

Women In the Green Economy (WiGE)

The Department hosted its annual Women in Green Economy ("WiGE") hybrid session on the 31st of August 2022, with over 100 attendees both in-person and online. The WiGE event is a platform for women to showcase their work and experiences within the Green Economy sector and this event focused on food security and social development. Areas of focus were (1) women working on upskilling other women and youth, in nature conservation and food production; (2) women using limited resources and space to feed communities; (3) pivoting during the COVID-19 pandemic.

The event highlighted solutions for people living in vulnerable communities willing to play a part in solving socio-enviro and economic challenges faced by communities through urban agriculture, skills development and building social enterprises. There are opportunities in creating a green economy and connecting children with the ecosystems around them. Solutions are simple to these food insecurity daily problems and have been realised and demonstrated by ordinary people through extraordinary, creative, and sustainable solutions.

In addition, food systems need to change, as currently they depend on unsustainable methods harmful to the environment, such as fertilizers, fossil fuels, and others, and communities need sustainable solutions that will heal the planet. Through the WiGE event, the women highlighted there are opportunities to build resilience in the province through communities, new skills development, and job creation. Government needs to create an enabling environment, for all citizens to be able to look after their own health and increase possibilities that will impact positively on communities by growing, buying, and eating organic indigenous foods. The Green Economy is a way for all to bring sustainable innovative solutions to current societal challenges.

Job Creation – Expanded Public Works Programme (EPWP)

The Expanded Public Works Programme is one of government's key programmes aimed at providing poverty and income relief through temporary work for the unemployed. EPWP is a nationwide programme covering all spheres of government and SOEs. The programme provides an important avenue for labour absorption and income transfers to poor households, in the short to medium-term. EPWP projects employ workers on a temporary or ongoing basis with government, contractors, or other non-governmental organisations under the Ministerial Conditions of Employment for the EPWP or learnership employment conditions. It also provides training and enterprise development support. EPWP creates work opportunities in four sectors, namely infrastructure, non-State, environment and culture and social, by:

- Increasing the labour intensity of government-funded infrastructure projects;
- Creating work opportunities through the Non-Profit Organisation programme and Community Work Programme;
- Creating work opportunities in public environment and culture programmes; and
- Creating work opportunities in public social programmes.

The Department is the lead Provincial Department for the Environment and Culture (EAC) Sector of the Expanded Public Works Programme (EPWP). The Department contributed to environmental

outcomes and job creation through overall Environment and Culture sector coordination in the Western Cape.

Environmental Compliance and Law Enforcement

The Compliance and Enforcement function of the Department continues to impinge progressively into combating environmental crimes, in conjunction with other governmental enforcement agencies within the Western Cape.

During this review period the Environmental Management Inspectors within the Department has tackled a myriad of environmental threats affecting the province, of which the most prevalent offences related to; degradation and loss of biodiversity and ecosystems (through illegal clearing of indigenous vegetation and infilling of wetlands), developments within watercourse (i.e. illegal construction of dams and diversions of rivers/streams), incidents of pollution of watercourses (as a result of sewage spillages and lack of adequate sanitation), and non-compliance with environmental authorisations/ waste management licences. These environmental offences not only cause significant and/or irreversible harm to the environment and our natural resources, but also poses a danger to the health and wellbeing of the citizens within the Western Cape province.

This resulted in issuing 251 administrative enforcement notices for non-compliance with environmental management legislation, culminating in an overall compliance percentage rate of 75% compliance with environmental legislation, which exceeds the planned target of 67%.

As part of the Department's oversight and supportive role in managing and improving the networking and capacity building of the Environmental Management Inspectors ("EMIs") amongst the local authorities within the province, a number of joint inspections and investigations, as well as intergovernmental blitz operations and awareness initiatives were conducted with the various environmental and enforcement agencies (such as, the national Department of Water and Sanitation, the national Department of the Forestry, Fisheries and Environment, South Africa Police Services, the Western Cape Department of Agriculture, CapeNature, Breede-Gouritz Catchment Agency, and local authorities) to ascertain the level of compliance with environmental legislation and authorisations/permits of a particular industrial/commercial sector, and to investigate environmental transgressions which are causing/have caused significant pollution and/or degradation of the environment and impacting negatively on the health and wellbeing of communities. Such joint inspections/investigations and blitz operations comprised of policing sectors within areas, such as, abattoir facilities in the central Karoo, illegal clearing in the Sandveld and Overberg areas, pollution and illegal structures/developments along and/or within Breede River, and coastal areas under the auspices of Operation Phakisa.

This has resulted in 421 Compliance Inspections (which includes inspection undertaken to verify complaints received) being conducted by the Department during the reporting period by the Environmental Law Enforcement, Waste Management, Air Quality Management, Pollution and Chemicals Management and the Section 24G, components.

In respect of criminal investigations finalised, 6 Criminal investigations were finalised during the reporting period and handed to the National Prosecuting Authority (NPA). The criminal investigation cases finalised and referred to the NPA during this reporting period, related to the clearance of critically endangered vegetation, the pollution of watercourses, illegal construction of dams, unlawful developments within the coastal area, and non-compliance with waste management licence by a municipality.

In addition, the Department in conjunction with the NPA has successfully secured 2 convictions relating to the illegal clearance of indigenous vegetation in the Sandveld and Overberg areas. One of the convictions obtained resulted from the culmination of an extensive criminal trial, which was the first in the country for indigenous vegetation clearing, and hopefully will set a precedent for many other investigations currently underway and serve as a deterrent for future landowners who choose to disregard the law.

Environmental Legal Support Services: Litigation Management

The Department's Environmental Legal Support Services' litigation portfolio for the period April 2022 to March 2023 consisted of 35 cases which are in various stages of the court process and are being actively managed in conjunction with Department of Premier: Legal Services. Ten new matters, citing the Department/Ministers as parties were received.

Environmental Appeals Management

The Department's Environmental Appeals Management processes appeals lodged against environmental decisions issued in terms of NEMA and the Special Environmental Management Acts ("SEMA's"); appeals are lodged against Directives and Objections lodged against compliance notices issued in terms of the NEMA as well as applications for the amendment of the environmental decisions.

Section 24G /Rectification

Section 24G of the NEMA makes provision for an application for environmental authorisation related to the unlawful commencement of listed and waste management activities and includes the determination and imposition of an administrative fine before deciding on an application. The Department processes applications submitted in terms of section 24G of the NEMA.

24 Applications was received, 27 Administrative fines were issued, 21 Applications were finalised (environmental authorisation decisions), and 17 Compliance inspections were conducted. An amount of R1,915 million in NEMA S24G Fines were received.

Environmental Planning

Increased prominence is being given to environmental planning as an important environmental sector mandate, with Environmental Management Frameworks (EMFs) being one of the essential environmental planning instruments.

The Drakenstein Environmental Management Framework (EMF) was finalised, and the adoption thereof has been gazetted.

The process for developing an integrated SDF/EMF for the Mosel Bay Municipality was concluded (during 2022/23) and the EMF (or integrated EMF/SDF) will be finalised during early 2023/24.

Integrated Environmental Planning Performance

Integrated planning, especially the integration between EMFs and SDFs are a key focus of the Department – i.e. ensuring that sustainable development is the outcome of aligned development planning and environmental planning initiatives, whilst improving the time and cost efficiency of regulatory processes. The alignment of the EMFs and SDFs for Saldanha Bay (completed), Drakenstein (completed) and Mossel Bay (in progress) Municipalities are ongoing initiatives that are identified to demonstrate environmental planning performance and achieving integrated planning. In terms of Drakenstein and Greater Saldanha Area EMF, alignment with the municipal

EMFs was achieved to some extent. Alignment between EMFs and SDFs is an important step towards achieving integration. In terms of Mossel Bay, the aim is to reach partial integration as a first step and later full integration between the EMF and SDF. The integration of environmental planning can give rise to benefits such regulatory relief and improved investor certainty.

An example of such a benefit is the identification and development of the Mossel Bay Municipality Human Settlements Environmental Management Instrument that will reduce the regulatory requirements for human settlement in specific areas. Furthermore, the Department and Municipality worked together to identify urban areas (in terms of the EIA Regulations), which have been aligned with the urban area as far as possible (unaligned areas require further discussion). Once completed, the instrument will be submitted for concurrence to the national Minister for the gazetting thereof for public comment.

The processes of developing EMFs and its integration/alignment with SDFs were reviewed for the Drakenstein and Mossel Bay EMFs and Review Reports completed. The Review Reports aimed to identify areas that can be improved in the planning, development and drafting of EMFs; identify gaps in information; make recommendations to improve processes and EMFs in future; and identify challenges experienced during the initiation, planning and development phases. Environmental planning follow-up (part of monitoring and evaluation) is essential for improving EMF development and implementation practices.

2.2 SERVICE DELIVERY IMPROVEMENT PLAN

WCG Departments will not be reporting on the SDIP 2022/23 Part B during the 2022/23 financial year as per the Service Delivery Improvement Plans DPSA Circular No. 14 of 2022 and DG Circular No. 59 of 2022.

2.3 ORGANISATIONAL ENVIRONMENT

The three Organisational Development (OD) processes which were to be concluded in the 2020/21 financial year are still being held in abeyance by the Department of the Premier. These OD processes include: the RSEP Programme; the Berg River and Breede River Programmes; and the Directorate: Biodiversity and Coastal Management. The processes have highlighted significant shortfall in capacity to meet the legal mandate of the Department. These capacity shortfalls present significant risk to these areas of work – all three areas of work being focused on priority areas for the Province (e.g., Jobs, Safety, Climate Change, etc).

During 2022/23, the options in terms of all three OD Processes were again explored by the Department in consultation with the Department of the Premier and Provincial Treasury.

2.4 KEY POLICY DEVELOPMENTS AND LEGISLATIVE CHANGES

Relevant legislation/policies gazetted during the 2022/23 financial year for implementation:

- Adoption of the Generic Environmental Management Programme for Development Projects within the Atlantis Urban Area as an Environmental Management Instrument and Exclusion of Activities Identified in terms of Section 24 (2) (a) and (b) of the Act, from the

requirement to obtain Environmental Authorisation if undertaken within the Atlantis Urban Area published in GG46208 GN2001 on 7 April 2022

- National Norms and Standards for the Treatment of Organic Waste, published in GG46169 GN1984 on 1 April 2022
- Amendments to the Financial Provisioning Regulations, 2015, published in GG46378 GN2087 on 19 May 2022
- Biodiversity Management Plans for Aloe Ferox and Honeybush Species, published in GG46596 GN2192
- Adoption of the Standard for the Development and Expansion of Power Lines and Substations within Identified Geographical Areas and the Exclusion of this Infrastructure from the requirement to obtain an Environmental Authorisation, published in GG47095 GN2313 on 27 July 2022
- Amendment of the Section 24H Registration Authority Regulations, 2016, published in GG47133 GN2320 on 29 July 2022
- Notice of Extension of Reporting Period by identified Producer Responsibility Organisations and Producers to the Extended Producer Responsibility Online System until 31 August 2022, published in GG47134 GN2328 on 29 July 2022
- Revised National Biodiversity Framework 2019 – 2024 for Implementation, published in GG46739 GN2386 on 19 August 2022
- Methodological Guidelines for Quantification of Greenhouse Gas Emissions, published in GG47257 GN2598 on 7 October 2022
- Amendment of Schedule 2 of the National Parks in terms of National Environmental Management: Protected Areas Act, 2003 published in GG47302 GN2632 on 14 October 2022
- Amendment of the Enabling Provision under which the Regulations laying down the Procedure to be followed for the Adoption of Spatial Tools or Environmental Management Instruments has been made, published in GG47377 GN2688 on 28 October 2022
- Amendment of the Identification in terms of Section 24(5)(a) and (b) of the National Environmental Management Act, 1998, of the Procedure to be Followed in Applying for Environmental Authorisation for Large Scale Electricity Transmission and Distribution Development Activities Identified in terms of Section 24(2)(a) of the National Environmental Management Act, 1998, when occurring Geographical Areas of Strategic Importance, published in GG47448 GN2716 on 4 November 2022
- Commencement of the Western Cape Biodiversity Act, 2021 (Act 6 of 2021), published in PN8682 on 11 November 2022
- Establishment of the Breede-Olifants Catchment Management Agency Through Extending the Boundary and Area of Operation of the Breede-Gouritz Catchment Management Agency in Western Cape Province, published in GG47559 GN2795 on 25 November 2022

- Amendment of the Regulations in terms of the Marine Living Resources Act, 1998, published in Government Notice R. 1111 of 2 September 1998, published in GG47796 GN2911 on 23 December 2022
- Publication of the Annual List of All Tree Species which are Protected under Section 21 of the National Forests Act, 1998, published in GG47927 GN2984 on 27 January 2022
- Notice of the Approved National Spatial Development Framework in terms of Section 13(5) of the Spatial Planning and Land Use Management Act, 2013, published in GG47979 GN1581 on 1 February 2023
- Repeal of the Notice Amending the Alien and Invasive Species List and List of Critically Endangered, Endangered, Vulnerable and Protected Species, and Amendment and Commencement of the Notice Prohibiting the Carrying out of Certain Restricted Activities involving Rhinoceros Horn, and the Regulations Pertaining to Trade in Rhinoceros Horn, published in GG47984 GN3013 on 3 February 2023
- List of Terrestrial Species and Freshwater Species that are Threatened or Protected, Restricted Activities that are Prohibited, and Restricted Activities that are Exempted, published in GG47984 GN3012 on 3 February 2023
- Norms and Standards for the Trophy Hunting of Leopard in South Africa, published in GG47984 GN3011 on 3 February 2023
- National Norms and Standards for the Management of Elephants in South Africa, published in GG47984 GN3010 on 3 February 2023
- Regulations pertaining to Threatened or Protected Terrestrial Species and Freshwater Species, published in GG47984 GN3009 on 3 February 2023
- Regulations to Domesticate the Requirements of the Rotterdam Convention in the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, published in GG48098 GN3072 on 21 February 2023
- Extended Producer Responsibility Scheme for the Lubricant Oil Sector, published in GG48282 GN3178 on 23 March 2023
- Extended Producer Responsibility Scheme for the Portable Battery Sector, published in GG48283 GN3179 on 23 March 2023
- Extended Producer Responsibility Scheme for the Pesticide Sector, published in GG48281 GN3177 on 23 March 2023
- Withdrawal of Government Notices No 3009, 3010, 3011, 3012, and 3013 published in Government Gazette No. 47984 of 03 February 2023, published in GG48349 GN3238 on 31 March 2023

3. ACHIEVEMENT OF INSTITUTIONAL IMPACTS AND OUTCOMES

Strategic Outcome: Improved Governance for Spatial Transformation.

Development Planning and Spatial Transformation

One of the Department's strategic priorities is Spatial Transformation and Managed Urbanisation. As a result, the Development Planning programmes have been organised around two outcomes: Improved Governance for Spatial Transformation, and More Resilient and Spatially Transformed Western Cape Settlements.

During 2022/23 the Department continued to roll-out the following 5-Year Departmental Strategic Plan priority programmes associated with pursuing improved governance for spatial transformation and pursuing more resilient and spatially transformed Western Cape settlements:

- Measurement of Sustainable Spatial Transformation, and initiatives to promote sustainable compact settlements
- Pursuing applied research efforts on urbanisation and migration
- Further development of a framework and sharing platforms for a Planning Support System
- Provincial and regional spatial planning implementation of PSDF priority regions
- Western Cape Government Sector (spatial) Alignment
- Municipal Spatial Development Framework Support Programme
- Municipal Capital Expenditure Framework (CEF) Support Programme
- Continued implementation of the RSEP Programme
- Municipal Support and Capacity Building Programme

A key programme to improve governance for spatial transformation is to leverage the role Western Cape Government sector departments play in implementing **Provincial and Regional Spatial Planning** objectives, as expressed in the Provincial Spatial Development Framework (PSDF) and the supporting three Regional Spatial Implementation Frameworks. In 2022/23 work continued on the amendment to the PSDF implementation chapter, adapting to an evolving institutional context, within which the PSDF must find its rightful place.

In the 2022/23 year the Department continued to map out a path for more effective embedding of the Western Cape Government's spatial strategy in the planning of key Departments responsible for the built environment. Good traction was gained in the annual budgeting process to engage with key sectors' implicit or explicit spatial investment strategies, with useful collaboration with the Provincial Treasury and Department of the Premier. This work is supported by ongoing work within the Spatial Planning Directorate to build a better and deeper understanding of the different sectors and their planning informants, parameters and imperatives.

The ongoing effort to build a functional and spatially transformative Western Cape SPLUM Governance System, saw extensive support being provided to municipalities through the **Municipal Spatial Development Framework (MSDF) Support Programme**. Namely, in this period, the Department:

- drafted the Overberg District MSDF,
- finalised the Prince Albert MSDF; and
- commenced with the drafting of the Beaufort West MSDF on behalf of these municipalities.

In addition, the Department partnered with the George, Hessequa and Mossel Bay municipalities in their MSDF processes. A model terms of reference for MSDF preparation has assisted the Matzikama and Langeberg Municipalities in their processes to commission the compilation of new MSDFs. A guideline to assist municipalities in the annual performance review of MSDFs was also prepared. The team's capacity to engage more effectively with climate change in municipal planning has been further enhanced through engagement with the Department's Climate Change team.

The complementary **Capital Expenditure Framework (CEF) Support Programme** saw the Department continue to test the methodology it developed and applied to Prince Albert and Oudtshoorn in the preparation of the groundwork for the preparation of CEFs for the Saldanha, Swartland, Bergvliet and Overberg CEFs. Regrettably, the continuation of this work is dependent on agreed support from the DBSA which has encountered unforeseen delays. The Prince Albert and Oudtshoorn CEFs were completed by the Department on behalf of the municipalities in this period and have started to demonstrate how these can be a monitoring instrument of reviewing budget alignment to planning in the draft IDP/ budget assessment processes. A model Terms of Reference and draft practice note on CEFs are also now available to municipalities.

The Regional Planning Programme saw the initiation of new work, under the auspices of the **Greater Cape Metro Region Inter-Governmental Committee** to model urban growth scenarios in the region, as well as work to model projected demand on provincial services in the region (outside of the Metro) as a pilot for extending such work to the whole province.

Work to promote sustainable, compact settlements, continued through the drafting of the **Western Cape Inclusionary Housing Policy Framework**, engaging with extensive, detailed comments received in the public participation process and further engagements with key stakeholders. The Department was able to secure resources and procure a service provider to prepare **Housing Market Studies** for four of the Western Cape's intermediate cities and larger towns; namely, Stellenbosch town, the George City Area, Paarl-Wellington and Mossel Bay – Kwanonqaba – Hartenbos. These studies are well underway and are a key evidence base for testing the scope for application of a Western Cape Inclusionary Housing Policy Framework, as well as informing other strategies for promoting affordable housing supply.

Finally, ongoing effort to support the efficient preparation of MSDFs and the accessibility of the spatial data and intelligence embedded in MSDFs for decision-making saw the development of **spatial planning viewing tool** – consolidating spatial plans and the underlying evidence – in one place with a view to providing a strategic decision-support tool.

In terms of **Development Planning Intelligence Management and Research** the work during 2022/23 continued to focus on providing access to data, information, knowledge, and intelligence in general through its pre-determined projects and in response to specific requests.

In 2022/23 the Department continued with the development of a system to monitor spatial performance trends as one of the interventions in the Western Cape Spatial Planning and Land Use Management functional and spatially transformative Governance System performance area as a primary area of focus. The focus for 2022/23 was to:

- Update the Planning Support System Conceptual Framework report prepared in 2020-21 reporting period, and
- Investigate the multi-year strategy and business case for the development of a Planning Support System, spatial transformation monitoring framework and indicator reduction process and testing

of relevant data models to support a Spatial Performance Measurement and Spatial Transformation Monitoring system. Significant progress was made with the launch of the 1st Generation Knowledge Share ICT Platform that also gives access to external stakeholders in Municipalities to the information sharing platform *vide* Third Party access granted by CEI, and a multi-year strategy and theory of change for development of a Planning Support System.

In 2022/23 research continued to better understand urbanisation, and the differentiated nature thereof in response to the Department's focus on Spatial Transformation and Managed Urbanisation particularly. This research paper attempted to analyse to what extent urbanization patterns have changed in the Western Cape between 1996 and 2016. It is envisaged that once the latest Census 2022 Stats SA information become available, an update of this report will be drafted.

The **Provincial Infrastructure Investment** database for the 2022/23 - 2024/25 MTEF, together with annual updates on national and provincial departments' transfers and allocations, adjustment estimates, spatially mapped and shared the information with all municipalities for IDP, SDF and PG MTEC and LG MTEC planning Purposes. This information again informed the basis of Chapter 3 in the "Overview of Provincial and Municipal Infrastructure Investment 2022" publication, and in collaboration with and in support to Provincial Treasury.

The **RSEP Programme** continued to be one of the Western Cape Government's priority strategic initiatives. The Programme is supporting (financially, and technically) a large number and huge variety of projects across 14 municipalities.

During the financial year the RSEP Programme was involved in the following Municipalities:

- Bergrivier
- Swartland
- Saldanha Bay
- Witzenberg
- Breede Valley
- Drakenstein,
- Stellenbosch
- Swellendam
- Theewaterskloof
- Cape Agulhas
- Mossel Bay
- Bitou
- Prince Albert
- Hessequa

Capital project highlights of the past year were:

- The opening of the Diazville Cottager Park Project in Saldanha was held on 14 July 2022;
- The upgrade of the Tulbagh Van Der Stel Street project has been completed in July 2022;
- The installation of security cameras project in Laaiplek/Noordhoek and Velddrif was completed in February 2023;
- Progress at the Mayixhale Business Hub in Mossel Bay at the end of March 2023 was 95% complete; Progress at the Stellenbosch Kayamandi Taxi Rank & LED units at the end of March was 96%; and
- The construction of the 'clearvu' boundary fence and pedestrian gates at Villiersdorp Public Transport Facility and Market has been completed at the end of June 2022.

Non-infrastructure project highlights were:

- The Kwanokuthula Corridor Precinct Development Framework has been completed in March 2023;
- The Railway Property and Urban Regeneration Study was completed in March 2023; and
- The Deciphering Spatial Transformation Internal Discussion Paper was completed in September 2022.

The support and capacity building services to municipalities in terms of Municipal **Regulatory Planning** continued during 2022/23 with the implementation of the annual assessment of the Status Quo of Land Use Management Systems at Municipalities; the second of five Annual Reports was compiled, highlighting various challenges in the sector and identifying priority interventions to address the most pressing needs.

The Department during 2022/23 continued to provide support to municipalities' Municipal Planning Tribunals (either as voting members or technical support) and to provide training through the various SALGA Work Groups, quarterly Municipal Planning Heads Forum as well as District Planning Forums. An increasing number of under capacitated municipalities are supported with professional planning reports on land use management applications and / or appeals.

The Department is continuing with efforts to remove unnecessary regulatory burden from the Western Cape Land Use Planning Act 2014, (Act No. 3 of 2014) (LUPA) and make necessary improvements.

During 2022/23 the Department continued to implement the Provincial Environmental Impact Management System and the annual evaluation of the System was completed during the fourth quarter. Numerous capacity building events were presented or participated in. During 2022/23 99% of EIA applications were finalised with the legislated timeframes, with only 2 EIA applications finalised outside of the legislated timeframes.

In terms of the **Environmental Municipal Support and Capacity Building Programme**, during 2022/23 DEA&DP continued to:

- Work closely with the National Department of Forestry, Fisheries and the Environment (DFFE) and the other provincial departments responsible for environmental affairs to implement the Environmental Sector Local Government Support Strategy (LGSS) and its associated Annual Implementation Plan and continued to serve on the National Local

Government Support Forum, which coordinates the implementation of the Strategy and each Annual Implementation Plan;

- Facilitate and actively participate in the DEA&DP-DFFE-SALGA Municipal Support Co-ordination Committee, which generally meets quarterly to co-ordinate national and provincial municipal support initiatives;
- Actively participate in the different SALGA Work Groups;
- Work with the Department of Local Government, Provincial Treasury and other Western Cape Government Departments to participate during the mid-year assessment of Municipal IDP's and assessing the Municipalities' tabled IDP's., The Department also continued to be an effective partner during the Joint District and Metro Approach (JDMA) processes and developed and implemented a responsive DEA&DP Municipal Support Plan for each one of the 30 Municipalities in the Western Cape.

Strategic Outcome:

More Resilient and Spatially Transformed Western Cape Settlements.

Land Assembly aims to ensure alignment and improved sequencing through integrated work plan processes and the Joint District and Metro Approach (JDMA) to facilitate co-planning, co-budgeting and co-implementation. The annual evaluation of the Land Assembly Programme was completed by the end of the fourth quarter and highlighted that the Department:

- submitted 202 comments to the relevant National Departments in terms of Section 24O of NEMA;
- Supported the Premier/Minister's Offices with 6 enquiries;
- Supported the Department of Health and Wellness with 38 enquiries;
- Supported the Western Cape Education Department with 79 enquiries;
- Supported the Department of Human Settlements with 10 enquiries;
- Supported the Department of Transport and Public Works with 6 enquiries;
- Supported the Department of Agriculture with 3 initiatives;
- Coordinated the Department's inputs into the various IDP and Budget processes; and
- Supported 18 private individuals with enquiries.

During 2022/23 the Department focussed on development facilitation and the creation of an enabling environment through:

- Improving the coordination, integration and alignment of national, provincial and Municipal plans, policies and strategies through the Provincial Spatial Development Framework that guide the location and form of both public and private sector investment;
- Ensuring alignment and improved sequencing through Municipal Integrated Development Plans (IDPs), including the roll-out of the Joint District and Metropolitan Approach (JDMA);
- Improving implementation of strategically aligned and well-located projects through enhanced portfolio, programme and project coordination, sequencing, and scheduling through interventions at the project selection and preparation stages (project pipeline development);
- Facilitating regulatory processes for all public sector projects by providing early regulatory advice and support, monitoring the progress with regulatory processes, and timeously assisting when delays or challenges are experienced. In 2022/23 specific focus was on increased support to the WCED required; and
- The provision of dedicated Land Assembly and Development Facilitation Service in terms of:

- o Integrated Human Settlements Projects as part of the implementation of the Western Cape Integrated Human Settlements Framework and the Informal Settlements Support Plan (ISSP) (Department of Human Settlements);
- o Roads Infrastructure (Department of Transport and Public Works);
- o General Infrastructure (Department of Transport and Public Works);
- o Health Infrastructure (Western Cape Department of Health and the Department of Transport and Public Works); and
- o Education Infrastructure (Western Cape Education Department and the Department of Transport and Public Works).

Strategic Outcome:

The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.

The Climate Change Municipal support programme continued on an ad-hoc basis, to municipalities who have reached out and to those receptive to pro-active approaches by the Directorate. The Department has however been liaising with municipalities as well as participating in the SIME process on the review of the Integrated Development Plans to ensure that climate change considerations are integrated into municipal planning. Greenhouse gas emissions mitigation requirements for different sectors have been identified as part of the 2050 Emissions Pathway Analysis by the Climate Change Directorate. The outcome of this work will further inform development planning in the municipal sphere as well as mitigation responses that support the goals and targets in the Western Cape Growth for Jobs Strategy.

The review of the **Western Cape Climate Change Response Strategy** was concluded with the Implementation Plan being prepared during 2022/23. The Strategy strongly focusses on action in the next decade with the goal of a net-zero and climate resilient Western Cape by 2050. Mainstreaming of climate change into all sectors and departments must be a priority for the. Part of the work of developing the revised WCCRS was incorporate a stronger gender and human rights lens and has been an informant to the on-going implementation and advocacy work.

The Department continues to engage with funders and creating partnerships in order to advance climate change in the province. The Department has secured additional support from The Climate Group, in the form of technical support on the **Western Cape Emissions Pathway Analysis**. The Green Climate Fund (GCF) concept note relating to "Resilient Waterscapes in the Western Cape" will be receiving support from SANBI to develop a full project proposal in the near future.

The long-term vision of reducing environmental risk and vulnerability is being addressed through an Environmental Risk and Vulnerability Map project, coordinated by the Climate Change Directorate. The project has produced two iterations of a composite map of the Province's environmental risks. Already, some of the specific map products have been used to inform spatial and environmental planning projects in the Department. The foundation has now been set for tracking the change in environmental hazards, vulnerability and risks over time.

The Western Cape Sustainable Water Management Plan (SWMP) forms the overall strategy for water management in the Province and defines a strategic and incremental approach towards the sustainable management of water in the Western Cape. Several projects and programmes being implemented as part of the Environmental Resource Protection Programmes contribute to water security, including the Water Quality monitoring program as well as the Riparian Rehabilitation programme. Projects aimed at improving water quality such as the work being done at the Water Hub and promotion of green infrastructure and water sensitive design

principles is a pro-active approach to improving water security. This is supported by pollution management as a reactive measure to address and improve water quality and water security, through addressing a significant number of pollution incidents and complaints, despite challenges related to COVID restrictions as well as human resource and budgetary constraints.

The Western Cape Air Quality Management Plan forms the basis for air quality management in the Province. Information in respect of the atmospheric emissions licensing and regulatory services were used to inform the above-mentioned Risk and Vulnerability Map project. In particular, the locations of facilities relating to the NEM: AQA s21 Listing of Activities, as well as those of the NEM: AQA section 23 controlled emitters, were used to inform the risks and vulnerability mapping, in respect of air quality in the Province.

Strategic Outcome:

Improved integrated waste management service that supports a waste economy.

Waste diversion for 2022/23 for the WC is at 27%, which is an improvement and recovery after a reduction in waste diversion was seen due to impact of the COVID-19 pandemic and the economic challenges which the country is experiencing.

95.3 % of Households have access to basic refuse removal services (values were used from the municipal Annual Reports and integrated waste management plan.

34% of Waste facility owners are submitting compliance audit reports, which is an authorisation condition. Furthermore, about 49.3% of the audits received were internal audits, and 50.7% of the audits received were external audits. There are 50 waste facility owners in the Western Cape, 26 municipal owners (257 facilities) and 24 private sector owners (48 facilities), own the 305 waste management facilities in the province. The internal and external auditing within the Western Cape is now aligned, whereby facility owners now apply the same audit methodology which is utilised for departmental audits by our officials. The owner's compliance audits are complemented by 48 authority audits to ensure that the compliance of waste management facilities improve.

52% of the 25 local municipalities aligned their by-laws to NEM: WA. The Department developed a generic integrated waste management by-law which is now available for municipalities to adopt and is also providing technical support to municipalities in this regard.

83% of Municipalities have 3rd generation Plans. Several municipalities are also well on their way in developing the 4th and 5th generation plans. The WC IWMP 2023 – 2027, which was finalised during the 2022/23 financial year, will inform and provide strategic direction to Municipalities during the development of their IWMPs over the next 5 years. The WC IWMP aligns with several policies, legislation, frameworks, charters and international conventions which focuses on environmental sustainability, economic growth, poverty alleviation and equality, including human rights and gender equality. The State of Waste Management (SOWM) Report 2021 was finalised during the 2022/2023 financial year and will be published for all stakeholders and authorities in the Western Cape to fulfil their mandates in terms of NEM:WA.

The SOWM report as an informant of the WC IWMP is crucial as it presents the current waste management policies, waste reduction initiatives, waste diversion programs and waste disposal practices across the municipal areas to provide a snapshot of the status of Waste Management in the Western Cape. The report further seeks to raise awareness on key issues and challenges in the waste sector and requires an understanding of the types and quantities and more so, the

complexities of the waste types and challenges being managed by the relevant municipalities and the province.

Strategic Outcome:

Improved biodiversity conservation and coastal management for the resilience of ecosystems goods and services.

Biodiversity Management Governance System

- The Provincial Biodiversity Strategy and Action Plan (PBSAP) continues to be implemented in partnership with CapeNature. This period also continued the review of the PBSAP through extensive stakeholder engagement, the realisation of gender and human rights within the PBSAP as well as a review of the CapeNature Cooperation Agreement to incorporate requirements of the new Biodiversity Act. The initial review of the high-level hierarchy of the PBSAP including the mission, vision, strategic objectives and its associated indicators and targets was concluded during 2022/23.
- The Western Cape Biodiversity Bill legal vetting and Provincial Parliament processes were concluded, and the Western Cape Biodiversity Act, Act 6 of 2021 was assented to by the Premier on 14 December 2021. The Department with CapeNature developed a Western Cape Biodiversity Act Regulations Stakeholder Engagement Plan. Further meetings were hosted to discuss the Purpose of the Regulations, legal requirements for stakeholder engagement/public participation and a process for Stakeholder identification and analysis and engagement strategies.
- While a "fit for Purpose" Service Delivery Model for Biodiversity Management in the Province has been finalised, the Organisational Design process has not advanced into the final stages of engagement with labour and the Minister for the Public Service and Administration (MPSA).
- The Department has continued to ensure and continually improve the monitoring and reporting system for the performance of CapeNature leading to the review of the CapeNature Cooperation Agreement to incorporate requirements of the new Biodiversity Act and was successfully signed off on the 28th of March 2023.
- CapeNature, with the inputs of the Department has concluded a revision of the Western Cape Protected Area Expansion Strategy.
- CapeNature produced the third State of Conservation Report (March 2022), with review by the Department in progress towards the Western Cape State of Biodiversity.
- CapeNature is reviewing the Provincial Biodiversity Spatial Plan and aims to adopt it in 2023/24.

The EIIIF has led to co-finance and partnerships with government and non-government organisations. Apart from an EIIIF project pipeline mentioned above the Department also extended its Collaboration Agreement with the WWF-SA that focuses on the implementation of the EIIIF within Strategic Water Source Areas (SWSAs) in the province through the funding of a senior landscape coordinator whose contract was extended from 31 December 2022 to 31 December 2023 with funding provided by WWF-SA.

Coastal Management Governance System:

- The Provincial Coastal Management Programme (PCMP) and the Estuary Management Programme continue to be implemented in partnership with CapeNature and Municipalities. During the 2022/23 financial year the review and amendment of the WC: PCMP, along with a Gender and Human Rights Gap Analysis of the 2016 PCMP was completed and the Draft WC: PCMP 2022-2027 underwent a public participation process. The draft was finalised based on

inputs received and the amended WC: PCMP 2022-2027 was approved by Minister Bredell during 2022/23.

- While a “fit for Purpose” Service Delivery Model for Coastal Management in the Province has been finalised, the Organisational Design process has not advanced into the final stages of engagement with labour and the MPSA.
- While a generation one State of the Coast Report has been produced, the development of a web-based system has had to be put on hold due to resource constraints and the SD: Coastal Management will develop inhouse a SOCR with a limited number of indicators.
- The Department, in partnership with CapeNature, has completed the advertising of 29 Estuarine Management Plans (EMPs) in 2022/23. Five EMPs were prepared for approval and signed off by the MEC in August 2022, six EMPs are currently on route to the MEC for signature and a further four EMPs are being prepared for submission to the MEC. Additionally, the Diep EMP was submitted by the City of Cape Town in the financial year and approved by Minister Bredell in March 2023
- The regulatory mechanisms for the implementation Coastal Management Lines (CML) in the Province has been delayed due to challenges in securing a service provider to conduct the cabinet required RIA and the Department is finalising a Request for Proposal process and hope to appoint in the first quarter of the new financial year. Further, the Department is working to finalise the Coastal Risk Policy with guidance from the Departmental Coastal Policy Task Team.
- The WC Provincial Coastal Access Strategy and Plan continues to be implemented. Municipalities are executing recommendations from the coastal access audits that were conducted and the Department provides varying degrees of technical support to municipalities as required to facilitate public coastal access. The draft Model Coastal Access By-laws were vetted and distributed to municipalities for their tailoring and finalisation.

Municipalities integrating ecological infrastructure priorities into their IDPs

- 57% of municipalities are integrating the biodiversity spatial priorities into their spatial planning categories (down from 63% in 2021/2022), while 20% are assessed as being partially compliant (up from 17% in 2021/22) and 23% non-compliant (up from 20% in 2021/22).
- While all municipalities currently reflect the CML information within their SDFs, the formal adoption of the CMLs for Garden Route, Overberg and West Coast Districts is still to be undertaken. The City of Cape Town has adopted a CML as the coastal edge within their SDF which is further supported by their Coastal Management By-law.

Strategic Outcome:

Improved compliance with environmental legislation.

The target set over the 5-Year plan is at 70%, and for this reporting period, 75% of the regulated community is complying with their legislative obligations as required by environmental legislation, Directives and Compliance Notices. This means that where environmental transgressions are acted against, a larger percentage of those responsible are taking the necessary steps to remedy the transgressions.

Strategic Outcome:*Efficient, Effective and Responsive governance.*

The recent pandemic posed many challenges, but also created many opportunities. This was further complicated through budget reductions which necessitated the need to re-assess the Departmental operational model. Various amended procedures and processes were implemented, resulting in efficiencies and improved responsiveness. Combined with achievement of determined performance targets the Department obtained unqualified audit reports which demonstrates the maturity of corporate governance within the organisation.

Medium-Term Strategic Framework**Teacher Support Environmental Education Programme (TSEEP)**

In 2022/23 the Teacher Support Environmental Education Programme (TSEEP) National Curriculum and Assessment Policy Statement (CAPS) aligned e-Learning ESD Moodle Toolkit initiative was implemented as part of Teacher Professional Development from a sectoral lens. An orientation to Teaching about the Green Economy and Entrepreneurship in Business Studies (Gr 10 to 12) and EMS (Gr 7 to 9) has been incorporated. This contributes towards improving the quality of Education in the Western Cape Education Department (WCED) schools by building teachers' competency in teaching with a focus on Education for Sustainable Development (ESD).

Western Cape Environmental Education Forum (WCEEF)

The Directorate: Sustainability has formalised Environmental Education strategic discussions and interventions by establishing the Western Cape Environmental Educators' Forum (WCEEF), which meets quarterly to integrate sustainability practices into education and training through its Environmental Education and Sustainability Awareness (EEA) mandate. The WCEEF functions to strengthen efforts of cooperative governance, minimising duplication of EEA interventions, projects, programmes and various activities across the province. Driven by the Intergovernmental Relations Framework Act, N°13 of 2005, the forum has expanded to embody a network of intergovernmental entities that have environmental education as their mandate. In 2022/23 the Teacher Support Environmental Education Programme (TSEEP) National Curriculum and Assessment Policy Statement (CAPS) aligned e-Learning ESD Moodle Toolkit initiative was implemented as part of Teacher Professional Development from a sectoral lens, by doing an orientation to Teaching about the Green Economy and Entrepreneurship in Business Studies (Gr 10 to 12) and EMS (Gr 7 to 9). This contributes towards improving the quality of Education in the Western Cape Education Department (WCED) schools by building teachers' competency in teaching with a focus on Education for Sustainable Development (ESD). ESD is recognised as a key element of quality education and a crucial enabler for sustainable development. The Sustainable Development Goals (SDGs), adopted by the global community which South Africa is a part of, recognise the importance of education in achieving their targets by 2030.

Women in the Green Economy (WiGE)

DEA&DP hosted its annual Women in Green Economy ("WiGE") hybrid session on the 31st of August 2022, with over 100 attendees both in-person and online. The WiGE event is a platform for women to showcase their work and experiences within the Green Economy sector and this event focused on food security and social development. Areas of focus were (1) women working on upskilling other women and youth, in nature conservation and food production; (2) women using limited resources and space to feed communities; (3) pivoting during the COVID-19 pandemic.

These women are based in Cape Town's vulnerable communities known as the Cape Flats and are responding to the sustainable development pillars namely, economy, social and the environment. One of the objectives of the interventions undertaken by these women is to steer

youth at school and out of school away from gangs and towards food gardens and educate households to grow their food gardens within limited spaces. This helps with food security and skills development. This was evident during the COVID-19 pandemic, as communities were sold organic fresh produce at below retail price as the economy was struggling and households could not afford.

The event highlighted solutions for people living in vulnerable communities willing to play a part in solving socio-enviro and economic challenges faced by communities through urban agriculture, skills development and building social enterprises. There are opportunities in creating a green economy and connecting children with the ecosystems around them. An example is an Abundance centre that serves as resilience hub that aims to inspire and equip a broad base of people to grow their own resilience, with a focus on food and jobs. This highlights the simple satisfaction of growing and eating one's own food and how easy it is. Solutions are simple to these food insecurity daily problems and have been realised and demonstrated by ordinary people through extraordinary, creative, and sustainable solutions.

The women believe poverty problems in society can be addressed more efficiently if those affected are empowered to help themselves. Public Private Partnerships can assist by being committed to finding integrated and holistic solutions to alleviate chronic poverty and hunger in global society. On another hand, food systems need to change as currently they depend on unsustainable methods harmful to the environment, such as fertilizers, fossil fuels, and others, and need sustainable solutions that will heal the planet.

Through the WiGE event, the women highlighted there are opportunities to build resilience in the province through communities, new skills development, and job creation. Government needs to create an enabling environment, for all citizens to be able to look after their own health and increase possibilities that will impact positively on communities by growing, buying, and eating organic indigenous foods. These women shared knowledge and lessons learnt while trying to solve food insecurity challenges and building resilient communities. The world is in a crisis therefore it is important for all role players to do their part in creating healthy societies. The Green Economy is a way for all to bring sustainable innovative solutions to current societal challenges.

Biodiversity Management

The Department, in cooperation with CapeNature, have contributed towards the delivery on the MTSF and have included a range of legislative, policy, programme and strategy developments, including progress on the legal reform process, the implementation of the Provincial Biodiversity Strategy and Action Plan (PBSAP), the Provincial Biodiversity Economy Strategy (PBES), the Provincial Coastal Management programme (PCMP) and the Estuary Management Programme. These strategic frameworks have continued to drive delivery and alignment of the Departmental and CapeNature mandates.

As noted earlier, the PBSAP continues to drive key strategic objectives. The review process saw the targeted engagement of local government and priority sectors, such as agriculture in mainstreaming the Provincial Biodiversity Spatial Plan (BSP) and its associated handbook and popular summary to familiarise users with its content and how to access it. The Biodiversity and Coastal Management Directorate has continued to engage in strategy development for ecosystems under threat, including working with stakeholders to address the conservation of the Renosterveld and driving critical components of the Saldanha Strategic Offset Strategy.

The EIIF contributes to the critical response to water risk, with the current focus on implementing the framework through the Implementation and Monitoring Plan (one of the documents within the EIIF series). The EIIF will be both the basis for spatial prioritisation and strategic investment

strategies to secure the ecosystem provisioning services of key water catchments of the Province. The 2022/23 financial year specifically focused on job creation and ecological infrastructure investment, other than departmental inputs on the Growth for Jobs (G4J) Strategy.

Biosphere Reserves

The Department gave prominence to the UNESCO Man and Biosphere Programme (MAB) principles and supports the implementation of the Biosphere Reserves programme in the province. This includes the Kogelberg, Cape West Coast, Cape Winelands, Gouritz Cluster and Garden Route Biosphere Reserves. The Department prioritised funding of the five individual Biosphere Reserves in the Province within a limited budget, mainly for logistical support such as operational expenses. An oversight committee tracks and supports performance of the Biosphere Reserves. The operational funding provided leverages significant additional funding for interventions and projects on the ground.

Provincial Biodiversity Economy

The PBES programme continues to drive catalysation of priority value chains under several pilot projects. The Department's Biodiversity Management prepared a project pipeline with project concept notes and implementation plans that can be accessed at the REP Project Portfolio Pipeline.

The Bitou Agroforestry business concepts for trade in natural products delivered significant benefits to local community members in terms of improved revenue and food security. The expansion and upscaling of the projects was promoted through organic and permaculture approaches to enhance pricing and health as well as instituting a "micro-jobbing" approach. The Department drove this initiative by facilitating engagement between local mentors and champions with relevant communities and setting up an out-grower network for market access and enhanced value chain sharing. During 2022/23, the Department was successful in facilitation funding (R750,000 over three years) through the Table Mountain Fund to implement the micro-jobbing natural products concept for three local communities in the Southern Cape.

All projects and programmes driven by the Biodiversity Management component to implement the PBSAP as mentioned above will be showcased through the Biodiversity Management Impact Dashboard currently being developed.

Coastal Management

Achievements by the Department in all nine priority areas has continued to advance the implementation of the approved Provincial Coastal Management Programme despite financial constraints and caps on cost of employment which have hampered achievements of some targets. Some key achievement includes:

- Provincial Minister of Local Government, Environmental Affairs and Development Planning, Minister Bredell, approved the amended Western Cape Provincial Coastal Management Programme 2022-2027 (WC: PCMP 2022-2027) during 2022/2023.
- The Department developed and circulated a Circular to coastal district municipalities for the consideration of coastal risk and NEM: ICMA in land use decision making. This Circular set the foundation for the draft policy for the implementation of CMLs in the province that was developed in the financial year. The implementation of CMLs is only one of many adaptation

strategies that is required to mitigate the impacts of climate change along the coast and the CML implementation policy will be expanded to include a wider provincial coastal adaptation response to the impact of climate change. The CMLs for the coastal District and Local Municipalities, will continue to be established in a phased approach over the next two years and focus on embedding the CML and associated risk information within SDFs as well as using other regulatory mechanisms. The Department is involved with the preparation of a Concept note for a project proposal to the Global Climate Fund, which will deal with coastal adaptation and will be incorporating aspects of estuarine and coastal ecosystem-based adaptation and enhancing resilience.

- The Department, with CapeNature also actively contributed to the process for the establishment of CMLs in the Garden Route National Park. The province continues to lead the implementation of CMLs in the country.
- Co-ordination and strategic direction were provided through the work of the Provincial Coastal Committee and its members. Support and guidance were provided to the Estuary Advisory Forums (EAFs) around the Western Cape and ongoing support is provided, through attendance of Municipal Coastal Committees and direct engagement, to the Local Government officials dealing with coastal matters.
- Four Draft coastal access by-laws were developed with legal vetting provided by the Department of the Premier's Legal Services. These include a bylaw for the administrative process to be followed as well as bylaws for the designation, adjustment and withdrawal of coastal access land.

The Department as lead agency for the coast in the Province must prioritise establishment of effective capacity to deliver on its estuary management mandate; either through Implementation Protocols with local government or through ensuring sufficient capacity exists within the Department or in CapeNature. While the enforcement of the NEM: ICMA still requires significant focus, the coastal management team have appointed and designated four (4) of its officials as EMLs. Capacity constraints remain a significant challenge for this work area.

Waste Management

The Gender Gap Analysis of the WC IWMP (2017 – 2020) was undertaken to ensure that gender aspects are considered in the review of the plan and that all waste management programmes, practices and planned waste management activities are gender responsive. Proposed recommendations are provided that will be taken forward during the revision and updating of the WC IWMP.

Air Quality Management

The Department continued to implement the third Generation Air Quality Management Plan in the province. A total of five Air Quality Officers' Forums were hosted during the year, with capacity building courses provided both virtually and in person to the regulated air quality community, as well as to municipalities. The capacity building courses focussed on air quality management planning and atmospheric emission licensing (particularly in respect of noise control). The Annual State of Air Quality Management Report was finalised and indicated that authorities are performing their mandates in terms of the NEM:AQA.

The Department continued to implement its recognition programme for reducing air pollution, viz. SMART-air Programme, as mandated by Section 31 of the National Environmental Management Air Quality Act (Act 39 of 2004; NEM: AQA). Under the SMART-air Programme, the partnership project on RAC, undertaken with the Bavarian Ministry of the Environment and Consumer Protection resulted in the opening of the Hydrocarbon Training Laboratory at West Coast College in Atlantis Cape Town on 06 December 2021. Thus, the college was the first Government entity in the Western Cape to offer training on hydrocarbon refrigerant gases. During this financial year, the college has received accreditation to officially offer training in this area, going forward.

The Western Cape Licensing Authorities continued to implement the Atmospheric Emission Licensing system in the Province and issued one (1) Atmospheric Emission License (AEL) during the financial year, while still continuing to regulate the existing facilities in the Province that have been granted AELs to operate Section 21 Listed Activities in the Western Cape. In concert with this, regulated facilities are reporting their atmospheric emissions to the National Atmospheric Emissions Inventory System (NAEIS). All facilities in the Province submitted their NAEIS reports to the system, resulting in 100% compliance with this requirement. Indeed, all Municipal facilities with Section 21 Listed Activities that have been granted AELs by the Department have complied with the NEM: AQA by reporting to the NAEIS. The emission inventory system remains an important tool that link air quality regulatory systems and climate management, in terms of managing and reducing greenhouse gases and other air pollutants in the Province.

The Department's Ambient Air Quality Monitoring Network, which comprises of 12 ambient air quality monitoring stations, located across the Province, contributed to the NAQI by reporting to SAAQIS). Overall, the ambient air quality pollutants measured in the Province was generally below the National Ambient Air Quality Standards (NAAQS). Where exceedances were observed, these were likely due to fires (residential wood burning, refuse burning) and wind-blown dust from unpaved roads or construction, as well as natural weather events related to high wind speeds and temperature inversions. However, increasing trends in particulate matter and ground level ozone has been observed in recent years, especially in areas with reduced vegetation cover and high traffic volumes.

Compliance and Enforcement

During this review period the Environmental Management Inspectors within the Department has tackled a myriad of environmental threats affecting the province, of which the most prevalent offences related to; degradation and loss of biodiversity and ecosystems (through illegal clearing of indigenous vegetation and infilling of wetlands), developments within watercourse (i.e. illegal construction of dams and diversions of rivers/streams), incidents of pollution of watercourses (as a result of sewage spillages and lack of adequate sanitation), and non-compliance with environmental authorisations/ waste management licences. These environmental offences not only cause significant and/or irreversible harm to the environment and our natural resources, but also poses a serious danger to the health and wellbeing of the citizens within the Western Cape Province.

Such actions are directed at the sector's Medium-Term Strategic Framework (MTSF), of reaching 75% compliance with environmental legislation, which impacts on Governments' Priority 5 – "Social cohesion and safe communities". This is reciprocated in the Provincial Strategic Plan VIP 1: "Safe and Cohesive Communities - Focus Area 3: Increased social cohesion and safety of public spaces". Thus, through the Department efforts in ensuring compliance and enforcement of environmental legislation, it has exercised its Constitutional imperative of striving towards a healthy and clean environment, which advances livelihoods and promotes safe cohesive communities, of whom the most vulnerable are the poor, women, and children.

During the period under review the following was achieved:

Enforcement actions finalised taken for non-compliance with environmental management legislation:

251 Enforcement actions were taken for non-compliance with environmental legislation during the reporting period. This exceeds the MTSF annual target of 175 by 76. This achievement is due to the Department conducting and participating in various intergovernmental blitz operations, which resulted in an increase in the number of administrative enforcement notices being issued. In addition, some environmental transgressions required that both a Pre-Compliance Notice/Compliance Notice and Pre-Directive/Directive be issued for the same matter, due to the nature of the offence, which relates to either the unlawful commencement of a listed activity in terms of the NEMA EIA regulations or listed activities in respect of the NEM: Waste Management Act, and for those offences which are causing pollution and/or degradation of the environment.

Criminal investigations finalised

The Department's Criminal Investigations has completed and referred 6 Criminal investigations to the National Prosecuting Authority ("NPA") during the reporting period, thus achieving the MTSF annual target of 6. The criminal investigation cases referred to the NPA during this reporting period relates to non-compliance with an Environmental Authorisation/ Waste Management Licence; illegal clearing of critical endangered vegetation; illegal excavation and infilling within a watercourse(wetlands or rivers); illegal construction of a dams; and unlawful activities which have resulted in significant pollution and/or degradation to the environment and have impacted negatively on people's health and wellbeing. Furthermore, the Department has also instituted criminal action against one Municipality and referred the matter to the NPA for a decision to criminally prosecute, due to the Municipality's failure to prevent pollution from causing significant harm to the environment and people's health and wellbeing.

The NPA has successfully secured 2 convictions relating to the illegal clearance of indigenous vegetation in the Sandveld and Overberg areas, thus contributing to the safeguarding and preservation of our province's ecological infrastructure and natural resources. This also acts as a deterrent for illegal and irresponsible (and unsustainable) agricultural producers to ultimate change their ways and transition towards becoming lawful, responsible and sustainable producers, which is often required in order to achieve the transition to sustainability and to gain access to cooperate/ commercial markets which are only available to responsible corporative citizens/business/producers.

Compliance Inspections Conducted

349 Environmental Law Enforcement (includes joint inspections with other Directorates), 48 Waste Management, 4 Air Quality Management, 17 Section 24G and 3 Appeals Management compliance inspections were conducted by the Department, totalling 421. The significant increase in the number of compliance inspections conducted by the Directorate: Environmental Law Enforcement was primarily due to the compliance inspections conducted in respective of the administrative enforcement notices issued, to ascertain compliance with the notices and the effectiveness of the enforcement action, as well as participating and executing of a number of intergovernmental compliance and enforcement blitz operations within a particular industrial/commercial sector or a biodiversity and ecological infrastructure which has been detrimental impacted as a result of human-led environmental damage.

Environmental Impact Assessment (EIA)

99% of EIA applications were finalised with legislated timeframes, with only 2 of the 238 Applications finalized outside of timeframe.

Several measures were implemented to meet the legislated timeframe to finalise application. These measures include, amongst others, two-weekly-case-load meetings between case officer and supervisor; manual counting of the 107-day due date of the EA and comparing this with the National Environmental Authorisation System (NEAS); inclusion of due date on the route form of submissions and regular email reminder to managers and competent authority of submissions sent via email.

4. PERFORMANCE INFORMATION BY PROGRAMME

PROGRAMME 1: ADMINISTRATION

PURPOSE

To provide overall management of the Department and centralised support services.

LIST OF SUB-PROGRAMMES

Sub-programme 1.1: Office of the Provincial Minister of Local Government, Environmental Affairs and Development Planning

Purpose: Render advisory, secretarial, administrative and office support services to the Provincial Minister, including parliamentary liaison services

Sub-programme 1.2: Senior Management

Purpose: Render oversight over the provincial public entity, the Western Cape Nature Conservation Board, compliance with legislative requirements and governance framework and overall management of the Department

Sub-programme 1.3: Corporate Services

Purpose: Corporate Services are responsible for the management of supply chain management, administration and related support and developmental services

Sub-programme 1.4: Financial Management

Purpose: The Financial Management sub-programme is responsible for effective preparation and implementation of a financial plan and budget for the Department and the judicious application and control of public funds. These include ensuring that accurate financial accounts are kept and that financial procedures are being adhered to and for proper, effective and efficient use of resources as required by the Public Service Act, 1994 and the Public Finance Management Act, (Act No. 1 of 1999). The sub-programme makes limited provision for maintenance and accommodation needs.

OUTCOMES

- Efficient, Effective and Responsive Governance

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

During the reporting period significant strides were made to strengthen and further improve the governance and control environment within the Department. This was achieved through amongst other the distribution, discussion and awareness sessions of internal circulars, e.g., supply chain management procedures and processes, irregular expenditure and fruitless and wasteful expenditure, ethics and fraud and corruption.

The Department has obtained an unqualified audit opinion with no findings for the 2021/22 financial year.

OUTPUT INDICATORS

Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Efficient, Effective and Responsive governance	Audit opinion obtained in respect of previous financial year	1.1 Audit opinion obtained in respect of previous financial year	Unqualified audit report	Unqualified audit report	Unqualified audit report	Unqualified audit report	0	None
	Approved Departmental Communication plan	1.2 Approved Departmental Communication Plan	1	1	1	1	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

LINKING PERFORMANCE WITH BUDGETS

During the 2022/23 financial year, Programme 1 was allocated a final appropriation of R69,940 million. The expenditure reflected within this Programme is predominantly in respect of Compensation of Employees as it comprises chiefly of management and support services. Expenditure in respect of Compensation of Employees is calculated at 82.2 % of the final budget.

The underspending reflected against this Programme is in respect of Compensation of Employees which stems from the recruitment period between resignations and promotions and the eventual filling of the vacated posts.

Sub-Programme Name	2022/2023			2021/2022		
	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000
Office of the Provincial Minister of Local Government, Environmental Affairs and Development Planning	8,610	8,513	97	8,383	8,201	182
Senior Management	21,039	20,948	91	20,653	20,603	50
Corporate Services	23,444	22,942	502	23,165	23,142	23
Financial Management	16,847	16,842	5	18,672	18,618	54
Total	69,940	69,245	695	70,873	70,564	309

PROGRAMME 2: ENVIRONMENTAL POLICY, PLANNING AND CO-ORDINATION PURPOSE

To ensure the integration of environmental objectives in national, provincial and local government planning, including provincial growth and development strategies, local economic development plans and integrated development plans. The programme includes cross-cutting functions, such as research, departmental strategy, information management and climate change management.

LIST OF SUB-PROGRAMMES

Sub-programme 2.1: Intergovernmental Co-ordination, Spatial and Development Planning

Purpose: This sub-programme is responsible for the facilitation of cooperative and corporate governance and promotes the implementation of intergovernmental sector programmes.

Sub-programme 2.2: Legislative Development

Purpose: This sub-programme is responsible to ensure that legislation, policies, procedures, systems and guidelines are developed to guide environmental decisions.

Sub-programme 2.3: Research and Development Support

Purpose: This sub-programme ensures that over-arching research and development activities required for policy coordination and environmental planning is undertaken.

Sub-programme 2.4: Environmental Information Management

Purpose: The aim of Environmental Information Management is to facilitate environmental information management for informed decision making. This encompasses the development of an integrated state of the environment reporting system, including the collection of data and development of provincial environmental performance indicators, and to develop and manage GIS systems to support reporting, spatial information, impact assessments and various information systems as required by legislation.

Sub-programme 2.5: Climate Change Management

Purpose: Climate Change Management is responsible for the development of strategies to respond to the challenges and potential impacts of climate change including the development of provincial climate change policies and programmes. These include both greenhouse gas mitigation and adaptation programmes.

OUTCOMES

- Improved Governance for Spatial Transformation
- Improve Compliance to Environmental Legislation
- The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

- The Beaufort West Air Quality Management Plan was adopted in 2022/23, bringing the total number of AQMP's adopted and implemented in the Province to 31 (1 Provincial and 30 Municipal).
- Western Cape Climate Change Response Strategy Monitoring & Evaluation Report and Environmental Vulnerability Mapping.

OUTPUT INDICATORS

Sub-programme 2.1: Intergovernmental Co-ordination, Spatial and Development Planning								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improved Governance for Spatial Transformation	To review an intergovernmental sector tool	2.1.1 Number of Intergovernmental sector programmes implemented (PESSPM)	1	2	4	4*	0	None

* Review of the municipal Integrated Development Plan (IDP), Review of the Mossel Bay Environmental Management Framework (EMF), Review of the Drakenstein EMF and Compliance Review of the Western Cape Environmental Implementation Plan

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUTPUT INDICATORS

Sub-programme 2.2: Legislative Development								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improve Compliance to Environmental Legislation	To develop legislative tools	2.2.1 Number of legislated tools developed (PESSPM)	3	2	0	1	+1	This is a demand driven target. Beaufort West Local Municipality adopted their Municipal Air Quality Management during the 2022/23 financial year.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUPUT INDICATORS

Sub-programme 2.3: Research and Development Support								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.	Settlement Summits hosted	2.3.1 Number of Sustainable Settlement Innovation Summits hosted	N/A	N/A	1	1	0	None
	Environmental research projects completed	2.3.2 Number of environmental research projects completed (PESSPM)	2	Not reported on during this period	Not reported on during this period	Not reported on during this period	N/A	N/A

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUTPUT INDICATORS

Sub-programme 2.4: Environmental Information Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.	Functional environmental information management systems maintained	2.4.1 Number of functional environmental information management systems maintained (PESSPM)	2	2	2	2*	0	None

*WebGIS and IPWIS

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

Sub-programme 2.5: Climate Change Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.	Climate change response interventions implemented	2.5.1 Number of climate change response interventions implemented (PESSPM)	Not reported on during this period	Not reported on during this period	2	2*	0	None

OUTPUT INDICATORS

* Western Cape Climate Change Response Strategy Monitoring & Evaluation Report and Environmental Vulnerability Mapping.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

LINKING PERFORMANCE WITH BUDGETS

During the 2022/23 financial year, an amount of R21,836 million was appropriated for this Programme. Of this, Compensation of Employees accounted for R20,155 million, Goods and Services were allocated R1,299 million, Transfers and Subsidies amounted to R121 thousand, and Payment for Capital Assets were R261 thousand.

Compensation of Employees accounted for 92.3 % of the Programme's expenditure, Goods and Services accounted for 5.9 % whilst Transfers and Subsidies accounted for a mere 0.6 % whilst Payment for Capital Assets equated to 1.2 % of the expenditure.

The underspending within this Programme relates to Compensation of Employees stemming from the recruitment period between resignations and promotions and the eventual filling of the vacated posts.

Sub- Programme Name	2022/2023			2021/2022		
	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000
Intergovernmental Coordination, Spatial and Development Planning	6,794	6,794	-	4,787	4,743	44
Legislative Development	-	-	-	1	-	1
Research and Development Support	5,171	5,163	8	5,012	4,982	30
Environmental Information Management	4,154	4,089	65	4,129	4,122	7
Climate Change Management	5,717	5,704	13	5,296	5,290	6
Total	21 836	21 750	86	19 225	19 137	88

PROGRAMME 3: COMPLIANCE AND ENFORCEMENT

PURPOSE

To ensure that environmental compliance monitoring systems are established and implemented, enforce legislation and environmental authorisations, building compliance monitoring and enforcement capacity through the establishment, training of environmental management inspectorates, acting on complaints and notifications of environmental infringements and acting to monitor these complaints and enforce environmental compliance where required.

LIST OF SUB-PROGRAMMES

Sub-programme 3.1: Environmental Quality Management, Compliance and Enforcement

Purpose: This sub-programme is responsible for ensuring environmental quality management through compliance monitoring and enforcement including NEMA section 24 Administration

OUTCOMES

- Effective Improve Compliance to/ with Environmental Legislation

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

The Department investigated environmental complaints and attended to serious transgressions/ incidents of pollution and degradation of the environment, as well as presented or participated in numerous environmental enforcement forums/programmes with other environmental and enforcement agencies through virtual platforms.

- 75% Compliance with Environmental Legislation achieved.
- 251 Administrative enforcement notices were issued for non-compliance with environmental legislation during the reporting period.
- 6 Criminal matters were finalised and handed to the National Prosecuting Authority for prosecution.
- 349 Environmental Law Enforcement, 17 Section 24G, 3 Appeals management, 4 Section 21 Facilities (Air Quality management) and 48 Waste management compliance inspections were conducted.

OUTPUT INDICATORS

Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Effective Improve Compliance to/ with Environmental Legislation	Compliance to Environmental Legislation	3.1.1 Percentage compliance to legislative obligations in respect of licensed facilities inspected	65%	75%	67%	75%	+8%	This is an efficiency indicator. The rate of compliance to legislative obligations is positive.
	Administrative enforcement notices complied with	3.1.2 Number of administrative enforcement notices issued for non-compliance with environmental management legislation (PESSPM)	238	279	175	251	+76	The number of administrative enforcement notices issued are dependent on the outcome of inspections and investigations into environmental complaints received, which warrants the issuing of administrative enforcement notices for environmental offences.
	Completed criminal investigations handed to the NPA	3.1.3 Number of completed criminal investigations handed to the NPA for	8	10	6	6	0	None

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Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
		prosecution (PESSPM)						
	Compliance to legal obligations in respect of licensed facilities inspected	3.1.4 Number of compliance inspections conducted (PESSPM)	468	449	275	421	+146	This is a demand driven indicator. The number of compliance inspections conducted is dependent on the number of complaints received from the public and other organs of state that warrant administrative and/or criminal action, as well as conducting compliance inspections in respect of the administrative enforcement notices issued.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

LINKING PERFORMANCE WITH BUDGETS

During the 2022/23 financial year, an amount of R33,902 million was appropriated to this Programme. Of this, Compensation of Employees accounted for R27,132 million, Goods and Services R6,298 million, Transfers and Subsidies R15 thousand and Payments for Capital Assets R457 thousand.

Compensation of Employees accounted for 79.8 % of the expenditure. Goods and Services accounted for 18.8 % of the final expenditure for the Programme whilst Payment for Capital Assets accounted for 1.4 % of the expenditure.

Besides operational expenditure, the major cost drivers within this Programme relates to Compensation of Employees, legal fees and computer services. Underspending relates largely to the delay in filling of posts following resignations.

Sub-Programme Name	2022/2023			2021/2022		
	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000
Environmental Quality Management Compliance and Enforcement	33,902	33,488	414	29,091	28,905	186
Total	33,902	33,488	414	29,091	28,905	186

PROGRAMME 4: ENVIRONMENTAL QUALITY MANAGEMENT

PURPOSE

To implement legislation, policies, norms, standards and guidelines for environmental impact management, air quality management, and the management of waste and pollution at provincial and local spheres of government.

LIST OF SUB-PROGRAMMES

Sub-programme 4.1: Impact Management

Purpose: The sub-programme Impact Management is responsible for facilitating environmental impact mitigation to promote sustainable development and a safe, healthy and sustainable environment. This is achieved through the implementation of an Environmental Impact Management (EIM) system through the use of various tools, such as Environmental Impact Assessments (EIAs). An effective EIM system is supported by EMFs and other Environmental planning tools.

Sub-programme 4.2: Air Quality Management

Purpose: Air Quality Management is aimed at improving air and atmospheric quality through the implementation of air quality management legislation, policies and system at provincial level. The sub-programme is also responsible to support air quality management efforts at local, national and international levels and includes the implementation of air quality management tools such as the declaration of air quality priority areas, ambient air quality monitoring systems, and emission source inventories.

Sub-programme 4.3: Pollution and Waste Management

Purpose: This sub-programme is responsible for the development of legislation, policies, norms, standards, guidelines and action plans on pollution and waste management. Waste management includes the facilitation, development and implementation of IWMPs, providing oversight and support to municipalities to render waste management services, regulate waste management activities through the administration of the waste management licensing process as well as the monitoring of compliance of regulated waste management facilities development and implementation of waste information systems developing of waste management policy, the promotion of waste minimisation and inclusive secondary materials economy. Pollution Management focuses on the prevention and mitigation of pollution and promotion of integrated pollution management and safe and responsible chemicals management through the development and implementation of policy instruments, action plans, information management and environmental risk management.

OUTCOMES

- More resilient and spatially transformed Western Cape settlements.
- The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.
- Improved integrated waste management service that supports a waste economy,

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

- All (100%) of waste management licence applications were finalised within legislative timeframes which is higher than the planned target of 95%.
- All Atmospheric Emission Licences were issued (100% target achieved). All NAEIS reports were submitted to the NAEIS system by 31 March 2023.

- The Annual State of Air Quality Management Report 2021 was published and reported that all authorities in the Western Cape are fulfilling their mandate in terms of the NEM:AQA.
- A total of 12 locations were monitored for air quality across the Province; where exceedances of ambient air quality standards were observed, these were linked to wind-blown dust or local fires in the area.
- A significant number of pollution incidents were investigated and addressed. 22 pollution complaints were investigated, and further incidents of significant sewage spills reported by municipalities were monitored by the Department to ensure mitigatory actions were taken. Five proactive inspections were undertaken at piggeries to assess the risk of water pollution from poor manure management.
- Comments relating to pollution management were submitted on six policy documents.
- Water Quality monitoring continued in support of addressing pollution incidents and regulatory action, as well as the implementation of the Berg and Breede Environmental Resource Protection Programs.
- Waste minimisation interventions to promote the diversion of organic waste are ongoing through the request and review of organic waste diversion plans, the monitoring of municipal organic waste diversion reporting on IPWIS and online capacity building and networking seminars for all stakeholders in the sector. A dashboard was created to further improve the departmental monitoring system for the implementation of organic waste diversion initiatives in municipalities. General waste minimisation support to municipalities is ongoing including initiatives to support the growth of the waste economy inclusive of a situational analyses and strategy to stimulate the repair and refurbish sector.
- The Department finalised the developed of the 3rd generation Western Cape Integrated Waste Management Plan (WC IWMP) 2023 – 2027 during the 2022/23 financial year. The WC IWMP aims to provide strategic direction for waste management in the Province over the short-, medium- and long-term and takes cognisance of aspects relating to gender equality, human rights, socioeconomic development, sustainability of waste services, and environmental impacts to inform specific goals, objectives, activities and targets.
- The State of Waste Management Report 2021 was finalised during the 2022/2023 financial year and will be published for all stakeholders and authorities in the Western Cape to fulfil their mandates in terms of NEM: WA.

OUTPUT INDICATORS

Sub-programme 4.1: Impact Management								
Sub-programme 4.1: Impact Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
More resilient and spatially transformed Western Cape settlements	Provincial Environmental Impact Management System evaluation reports developed	4.1.1 Number of Provincial Environmental Impact Management System evaluation reports	1	1	1	1	0	None
		4.1.2 Percentage of complete Environmental Impact Assessment (EIA) applications finalised within legislated timeframes (PESSPM)	99%	95%	100%	99	-1%	Demand driven target. Staff capacity constraints within the unit has resulted in not achieving the target
		4.1.3 Percentage of Environmental Impact Assessment (EIA) non-applications timeously responded to	N/A	N/A	100%	92%	-8%	Due to capacity constraints, high caseloads of officials especially having to attend to EIA applications as a priority.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

4.1.2 – Additional funding has been made available by Provincial Treasury from 2022/23 to fund more posts to address the capacity shortage

4.1.3 – Additional funding has been made available by Provincial Treasury from 2022/23 to fund more posts to address the capacity shortage

OUTPUT INDICATORS

Sub-programme 4.2: Air Quality Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
The Western Cape's environmental vulnerability and risks associated with water security and climate change impacts tracked.	Report on the State of Air Quality Management	4.2.1 Report on the State of Air Quality Management	1	1	1	1	0	None
	Report on Air Quality Monitoring of the Western Cape Ambient Air Quality Monitoring Network	4.2.2 Number of stations monitoring ambient air quality	12	12	12	12	0	None
	Atmospheric Emission Licenses (AELs) issued within legislated timeframes	4.2.3 Percentage of complete Atmospheric Emission Licenses (AELs) issued within legislated timeframes (PESSPM)	100%	100%	100%	100%	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUTPUT INDICATORS

Sub-programme 4.3: Pollution and Waste Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improved integrated waste management service that supports a waste economy,	Waste minimisation interventions undertaken	4.3.1 Number of waste minimisation intervention(s) undertaken for priority waste streams	1	1	1	1	0	None
	Hazardous waste interventions undertaken	4.3.2 Number of hazardous waste intervention(s) undertaken	1	1	1	1	0	None
	Waste management planning interventions undertaken	4.3.3 Number of waste management planning intervention(s) undertaken	1	1	1	1	0	None
	State of waste management report	4.3.4 Number of State of waste management reports.	Not reported on during this period	1	1	1	0	None
The Western Cape's environmental vulnerability and risks associated with water security and	Waste licence applications finalised within legislative timeframes	4.3.5 Percentage of complete waste licence applications finalised within legislated timeframes	100%	100%	95%	100%	+5%	Target is demand driven. All applications received were completed within the legislated timeframes.

Sub-programme 4.3: Pollution and Waste Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
climate change Impacts tracked.	Annual progress report	4.3.6 Report on Sustainable Water Management Plan	1	1	1	1	0	None
		4.3.7 Number of river and estuarine sites monitored in respect of pollution control	42	42	42	42	0	None
		4.3.8 Number of riverine sites targeted for rehabilitation	4	2	2	0	-2	Initial challenges relating to the impact of the Constitutional Court judgement with respect to the Preferential Procurement Regulations and unsuccessful bid process due to proposals exceeding available budget. This resulted in the late appointment of a service provider at the end of the financial year, thus no work could be undertaken at the end of the reporting period.
	Site inspection Reports	4.3.9 Number of inspections in respect of pollution control	5	5	5	5	0	None

Sub-programme 4.3: Pollution and Waste Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
	Closure letters issued	4.3.10 Number of closure letters issued in respect of S30 cases	5	7	4	6	+2	This is a demand driven indicator and more closure letters could be issued.
	Decisions issued	4.3.11 Number of decisions issued in respect of contaminated land cases received	4	4	4	13	+9	This is a demand driven indicator and more decisions could be issued in respect of contaminated land cases received.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

4.3.8 A new procurement process was followed in terms of the interim arrangements to give effect to the Preferential Procurement Regulations (2022), for the procurement of a service provider, which was appointed at the end of 2022/23, for the implementation of the project during the 2023/24 financial year.

LINKING PERFORMANCE WITH BUDGETS

During the 2022/23 financial year, an amount of R84,795 million was appropriated to Programme 4. Of this, the expenditure in respect Compensation of Employees amounted to R75,708 million, Goods and Services R5,106 million, Transfers and Subsidies R329 thousand, Payments for Capital Assets R1,815 million as well as Payments for Financial Assets R7 thousand. Translated as a percentage of the final expenditure of the Programme, Compensation of Employees represented 91.2 %, Goods and Services accounted for 6.2 %, Transfers and Subsidies being 0.4 % and Payments for Capital Assets equated to 2.2 %.

Underspending on Compensation of Employees stems from the recruitment period between resignations and promotions and the eventual filling of the vacated posts. The delay in finalising and payment of the accelerated grade progressions further contributed to the underspending on Compensation of Employees.

The underspending on Goods and Services for this Programme is attributed to initial challenges relating to the impact of the Constitutional Court judgement with respect to the 2017 Preferential Procurement Regulations and unsuccessful bid processes due to proposals exceeding the available budget and several re-advertisements due to no responses on advertisement events. These factors impacted on later contract appointments and spending.

Sub-Programme Name	2022/2023			2021/2022		
	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	2022/2023	R'000	R'000	R'000	R'000
Impact Management	30,775	30,176	599	29,165	29,079	86
Air Quality Management	13,152	13,152	-	15,999	15,190	809
Pollution and Waste Management	40,868	39,637	1,231	41,752	40,107	1,645
Total	84,795	82,965	1,830	86,916	84,376	2,540

PROGRAMME 5: BIODIVERSITY MANAGEMENT

PURPOSE

To promote equitable and sustainable use of ecosystem goods and services to contribute to economic development, by managing biodiversity, and its components, processes, habitats and functions.

LIST OF SUB-PROGRAMMES

Sub-programme 5.1: Biodiversity and Protected Area Planning and Management

Purpose: The sub-programme Biodiversity and Protected Area Planning and Management is responsible for sustainable use of indigenous biological resources, access to and sharing of the benefits arising from use of biological resources, bioprospecting and the implementation of biodiversity related regulations and community-based land management.

Sub-programme 5.2: Western Cape Nature Conservation Board

The Western Cape Nature Conservation Board (WCNCB), trading as CapeNature, was established as a conservation agency in terms of the WCNCBA, 1998 (Act 15 of 1998) and was listed as a provincial public entity in terms of the Public Finance Management Act (PMFA), 1999 (Act 1 of 1999). The responsibilities of this sub-programme include the management of specific land areas and related conservation activities, build a sound scientific base for the effective management of natural resources and biodiversity conservation decision-making. As a conservation agency, CapeNature is primarily engaged in nature conservation, the tourism and hospitality industry, as well as research, education and visitor services.

Sub-programme 5.3: Coastal Management

The sub-programme Coastal Management is responsible for promoting of integrated marine and coastal management and ensuring a balance between socio-economic development and the coastal and marine ecology.

OUTCOMES

- Improved biodiversity conservation and coastal management for the resilience of ecosystems goods and services.

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

- Despite the capacity challenges and an organisational structure which is not yet “fit for Purpose”, the Department continued to drive the implementation of the Western Cape Provincial Biodiversity Strategy and Action Plan (PBSAP), Provincial Biodiversity Economy Programme, Provincial Coastal Management and Provincial Estuary Management Programmes.
- Further, as the Programme responsible for implementing the Performance Management and Reporting system for CapeNature and the Oversight mechanisms for the Biosphere Reserves, in terms of transfer payments, the programme achieved further refinements of these governance systems.

OUTPUT INDICATORS

Sub-programme 5.1: Biodiversity and Protected Area Planning and Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improved biodiversity conservation and coastal management for the resilience of ecosystems goods and services	Implementation of the Provincial Biodiversity Strategy and Action Plan	5.1.1 Report on the Implementation of the Provincial Biodiversity Strategy and Action Plan (PBSAP)	1	1	1	1	0	None
	Implementation of the Provincial Biodiversity Economy Strategy	5.1.2 Report on the Implementation of the Provincial Biodiversity Economy Programme	1	1	1	1	0	None
		5.1.3 Number of Biodiversity Economy initiatives implemented (PESSPM)	Not reported on during this period	Not reported on during this period	Not reported on during this period	Not reported on during this period	N/A	N/A
	Implementation of the oversight system for Western Cape Biosphere reserves	5.1.4 Annual Oversight Report for Western Cape Biosphere Reserves	1	1	1	1	0	None

*The Department will only be able to set a target and report against this indicator once the technical indicator description has been resolved with DFFE.

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUTPUT INDICATORS

Sub-programme 5.2: Western Cape Nature Conservation Board								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improved biodiversity conservation and coastal management for the resilience of ecosystems goods and services	Implementation of the monitoring and reporting system for the performance of CapeNature	5.2.1 Annual Report on the performance of CapeNature	1	1	1	1	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUTPUT INDICATORS

Sub-programme 5.3: Coastal Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improved biodiversity conservation and coastal management for the resilience of ecosystems goods and services	Implementation of the Provincial Coastal Management Programme	5.3.1 Report on the Implementation of the Provincial Coastal Management Programme	1	1	1	1	0	None
	Implementation of the Provincial Estuary Management Programme	5.3.2 Report on the Implementation of the Provincial Estuary Management Programme	1	1	1	1	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

LINKING PERFORMANCE WITH BUDGETS

During the 2022/23 financial year, an amount of R306,132 million was appropriated to the Programme of which the actual expenditure amounted to R305,669 million. This translates to actual expenditure of 99.8 % of the Programme's total budget. An amount of R292,090 million or 95.6 % of the expenditure is in respect of the provincial public entity, CapeNature.

The underspending registered against this Programme is mainly due to a Biodiversity Management project that was not concluded by the end of the financial year. Challenges were also experienced with the Coastal Management Lines project due to unsuccessful procurement advertisement events where either no responses were received or responses being higher than the budgeted amounts.

	2022/2023			2021/2022		
Sub- Programme Name	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000
Biodiversity and Protected Area Planning and Management	7,282	6,987	295	7,086	7,049	37
Western Cape Nature Conservation Board	292,090	292,090	-	286,757	286,757	-
Coastal Management	6,760	6,592	168	6,264	6,214	50
Total	306,132	305,669	463	300,107	300,020	87

PROGRAMME 6: ENVIRONMENTAL EMPOWERMENT SERVICES

PURPOSE

To implement and enhance programmes to interact with stakeholders and empower communities to partner with government in implementing environmental and social economic programmes.

LIST OF SUB-PROGRAMMES

Sub-programme 6.1: Environmental Capacity Development and Support

Purpose: The sub-programme Environmental Capacity Development and Support promotes environmental capacity development and support (internal and external) and the implementation of community based environmental infrastructure development and economic empowerment programmes.

Sub-programme 6.2: Environmental Communication and Awareness Raising

Purpose: Environmental Communication and Awareness Raising is responsible to empower the general public in terms of environmental management, through raising public awareness. This includes the implementation of community-based promotion and awareness of and compliance with environmental legislation and environmentally sound practices.

OUTCOMES

- Improve Compliance to Environmental Legislation
- Improved Integrated waste management service that supports a waste economy

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

- A total of 41 environmental capacity building activities/events were planned for 2022/23. Due to ad hoc requests received during the year which were not planned for, the Department overachieved by providing 53 capacity building events. Highlights include partnering with SALGA to build capacity amongst Municipal Councillors, partnering with DFFE to provide EIA refresher training, partnering with EAPASA to provide training relating to professional registration and capacity building in the fields of biodiversity, climate change, environmental law enforcement, objections/appeals, etc.

OUTPUT INDICATORS

Sub-programme 6.1: Environmental Capacity Development and Support								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improve Compliance to Environmental Legislation	Environmental capacity building activities conducted	6.1.1 Number of work opportunities created through environment sector public employment programmes (PESSPM)	28	32	20	0	-20	Initial challenges relating to the impact of the Constitutional Court judgement with respect to the preferential Procurement Regulations and unsuccessful bid process due to proposals exceeding available budget. This resulted in the late appointment of a service provider at the end of the financial year, thus no work could be undertaken at the end of the reporting period.
		6.1.2 Number of environmental capacity building activities conducted (PESSPM)	46	43	41	53	+12	Additional capacity building activities were conducted in response to requests from stakeholders.

Improved Integrated waste management service that supports a waste economy	SMME support interventions undertaken	6.1.3 Number of SMME support interventions undertaken	1	1	1	0	-1	Initial challenges relating to the impact of the Constitutional Court judgement with respect to the Preferential Procurement Regulations and several unsuccessful requests for proposals resulted in a late appointment of a service provider. This impacted on the specified time frame to complete the project.
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STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

6.1.1 A new procurement process was followed in terms of the interim arrangements to give effect to the Preferential Procurement Regulations (2022), for the procurement of a service provider, which was appointed at the end of 2022/23, for the implementation of the project during the 2023/24 financial year.

6.1.3 A Service Provider was appointed following the new procurement process in respect of the Preferential Procurement Regulations and the project will be concluded during 2023/24.

OUTPUT INDICATORS

Sub-programme 6.2: Environmental Communication and Awareness Raising								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improve Compliance to Environmental Legislation	Environmental awareness activities conducted	6.2.1 Number of environmental awareness activities conducted (PESSPM)	10	13	9	9	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

LINKING PERFORMANCE WITH BUDGETS

The Programme promotes environmental capacity development and support as well as empowering the general public in terms of environmental management, through raising public awareness. Initial challenges relating to the impact of the Constitutional Court judgement on the 2017 Preferential Procurement Regulations and several unsuccessful requests for proposals resulted in a late appointment of a service provider for the Wastepreneurs project. This impacted on the specified time frame to complete the project which contributed to the underspending of this Programme.

Savings also realised on travelling and other operational costs through efficiencies associated with hosting virtual capacity building events instead of face-to-face sessions.

	2022/2023			2021/2022		
Sub-Programme Name	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000
Environmental Capacity Development and support	532	378	154	623	601	22
Environmental Communication and Awareness Raising	97	96	1	113	113	-
Total	629	474	155	736	714	22

PROGRAMME 7: DEVELOPMENT PLANNING

PURPOSE

To implement national and provincial spatial planning and land use management legislation, policies, norms and standards at the provincial sphere of government and to assist and support the municipal sphere of government with the implementation thereof. The programme further provides for a regional planning and management service and a development facilitation service, to ensure provincial and municipal coherence and logic in terms of development planning through the inter-governmental and inter-sectoral coordination of plans, programmes and projects and the provision of project specific facilitation services and the provision of a development planning intelligence management service.

LIST OF SUB-PROGRAMMES

Sub-programme 7.1: Development Facilitation

The Purpose of this sub-programme is to provide a provincial development facilitation service, to both the public and private sectors and to provide a provincial development planning intelligence management service, to ensure spatial coherence and logic of physical development initiatives and informed decision-making.

Sub-programme 7.2: Spatial Planning, Land Use Management and Municipal Support

The Purpose of this sub-programme is to provide a provincial spatial planning and land use management policy development and implementation service and to monitor municipal performance, in terms of municipal spatial planning and land use management and to provide the necessary support to municipalities and other clients in this regard.

Sub-programme 7.3: Regional Planning and Management and Special Programmes

The Purpose of this sub-programme is to provide a regional planning and management service, to promote inter-governmental and inter-sectoral coordination in order to ensure improved impact of public and private investment in physical development initiatives and to implement the RSEP programme in order to promote a "whole-of-society" approach to development planning and, in addition, to implement other development planning special projects.

OUTCOMES

- Improved Governance that enables Spatial Transformation
- More Resilient and Spatially Transformed Western Cape Settlements

SIGNIFICANT ACHIEVEMENTS OF TARGETS FOR THE OUTPUTS AND OUTPUT INDICATORS

In the 2022/23 year the worked continued to map out a path for more effective facilitation of the embedding of the Western Cape Government's spatial strategy in the planning of key Departments responsible for the built environment.

The support provided to municipalities through the Municipal Spatial Development Framework (MSDF) Support Programme, and the complementary Capital Expenditure Framework Support Programme saw the continuation to test the methodology.

- The Regional Planning Programme saw the initiation of new work, under the auspices of the Greater Cape Metro Region Inter-Governmental Committee to model urban growth scenarios and impact on demand on provincial services in the region.

- Work to promote sustainable, compact settlements, continued through the drafting of a report on the potential of 'integration zones' for the compaction and transformation of Western Cape towns through a case study approach. Work continued on drafting of the Western Cape Inclusionary Housing Policy Framework, and the Department was able to secure resources and procure a service provider to prepare Housing Market Studies for 4 select municipalities.
- Further development of a Spatial Performance & Transformation Monitoring System as part of a planning support system and development of a SharePoint Site with Third-Party access to Municipal staff to share intelligence and knowledge for joint and collaborative decision-making processes in the Western Cape. A total of 9 Spatial and Land Use Planning capacity building activities/events were planned for 2022/23. Due to ad hoc requests received during the year which were not planned for, the Department overachieved by providing 17 capacity building events. Ad hoc requests *inter alia* included capacity building relating to key policies/strategies such as the National Spatial Development Framework (NSDF) and the Growth for Jobs (G4J) Strategy as well three Capacity Building sessions focussed on Gender Mainstreaming.

OUTPUT INDICATORS

Sub-programme 7.1: Development Facilitation								
Strategic Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
More resilient and spatially transformed Western Cape settlements	Well-located land parcels assembled for development aimed at improved spatial transformation.	7.1.1 Number of well-located land parcels assembled for development aimed at improved spatial transformation	2	2	2	2	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

OUTPUT INDICATORS

Sub-programme 7.2: Spatial Planning, Land Use Management and Municipal Support								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
Improved Governance that	Implementation of the Development Planning	7.2.1 Annual report on the implementation of the	N/A	N/A	1	1	0	None

Sub-programme 7.2: Spatial Planning, Land Use Management and Municipal Support								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
enables Spatial Transformation	Intelligence Management Framework	Development Planning Intelligence Management Framework						
Improved Governance that enables Spatial Transformation.	Western Cape Government's spatial strategy is embedded in the planning of key Departments responsible for the built environment	7.2.2 Annual report on the Western Cape Government Sector Planning alignment	1	1	1	1	0	None
	Functional and spatially transformative Western Cape SPLUM Governance System	7.2.3 Number of SPLUM capacity building activities conducted	15	14	8	17	+9	Additional capacity building activities were conducted due to stakeholder requests
		7.2.4 Annual report on the status quo of Municipal Spatial Development Frameworks (MSDFs)	1	1	1	1	0	None

Sub-programme 7.2: Spatial Planning, Land Use Management and Municipal Support								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
		7.2.5 Annual report on the Municipal Capital Expenditure Frameworks Support	1	1	1	1	0	None
	Municipal Land Use Management Performance Monitoring system	7.2.6 Annual report on the Status Quo of Municipal Land Use Management Systems	1	1	1	1	0	None
	Functional and spatially transformative Western Cape SPLUM Governance System	7.2.7 Number of Western Cape spatial priority regions where spatial performance trends are monitored	1	1	1	1	0	None
	Functional and spatially transformative Western Cape SPLUM Governance System	7.2.8 Percentage of municipal land use planning applications commented on within the	N/A	N/A	100%	99%	-1%	Due to administrative error, two submissions were late by one day each.

Sub-programme 7.2: Spatial Planning, Land Use Management and Municipal Support								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
		legislated timeframe						
	Municipal Support Plans developed	7.2.9 Number of Municipal Support Plans developed	N/A	N/A	30	30	0	None
More resilient and spatially transformed Western Cape settlements	Compact settlements for managing rapid informal urbanisation.	7.2.10 Number of initiatives that promote sustainable compact settlements.	1	1	1	1	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

7.2.8 The Department has initiated a SharePoint database of all applications received by the Department, tracking the progress of the application within the Department which would assist with the timeous response times within legislated timeframes. The Department will also during 2023/24 table amendments to the Land Use Planning Act 2014, (Act 3 of 2014) to Cabinet and Parliament which would reduce the number and categories of applications being referred to the Department for comment. The reduced numbers of applications referred to the Department would also create capacity to respond to other municipal support enquiries.

OUTPUT INDICATORS

Sub-programme 7.3: Regional Planning and Management and Special Programmes								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/21	Audited Actual Performance 2021/22	Planned Annual Target 2022/23	Actual Achievement 2022/23	Deviation from planned target to Actual Achievement 2022/23	Reasons for deviations
More resilient and spatially transformed Western Cape settlements.	Regional Planning implementation	7.3.1 Annual report reviewing regional planning implementation	N/A	N/A	1	1	0	None
More resilient and spatially transformed Western Cape settlements.	Implementation of the RSEP	7.3.2 Number of municipalities within which the Western Cape Government RSEP is implemented	12 (Theewaterskloof; Drakenstein; Breede Valley; Saldanha Bay; Swartland; Berggrivier; Witzenberg; Mossel Bay, Cape Agulhas; Bitou; Stellenbosch and Prince Albert)	12	14	14	0	None
More resilient and spatially transformed Western Cape settlements.	Implementation of the RSEP	7.3.3 Number of non-infrastructure interventions completed by RSEP annually	N/A	N/A	3	3	0	None

STRATEGY TO OVERCOME AREAS OF UNDER PERFORMANCE

Not applicable

LINKING PERFORMANCE WITH BUDGETS

During the 2022/23 financial year, an amount of R58,358 million was appropriated to the Programme of which the actual expenditure amounted to R57,076 million. This translates to actual expenditure of 97.8% of the Programme's total budget. An overview of the funds spent per economic classification is as follows:

- Compensation of Employees accounted for R49,831 million or 87.3 % of total expenditure;
- Goods and Services accounted for R1,014 million or 1.8 % of total expenditure;
- Transfers and Subsidies accounted for R6,004 million or 10.5 % of total expenditure;
- Payments for Financial Assets for R10 thousand; and
- Payments for Capital Assets amounted to R217 thousand or 0.4 % of total expenditure.

The transfers were mainly in respect of allocations to municipalities in respect of the Regional Socio-Economic Projects Programme.

The underspending for this Programme is predominantly on Compensation of Employees which stems from the period between resignations and promotions and the eventual filling of the vacated positions and the delay in finalising the accelerated grade progressions.

Underspending on Goods and Services is attributed to a video project, to capture completed RSEP initiatives, which was not finalised by year end and could therefore not be paid.

Sub-Programme Name	2022/2023			2021/2022		
	Final	Actual	(Over)/Under Expenditure	Final	Actual	(Over)/Under Expenditure
	Appropriation	Expenditure		Appropriation	Expenditure	
	R'000	R'000	R'000	R'000	R'000	R'000
Development Facilitation	23,945	23,273	672	21,889	21,864	25
Spatial Planning, Land Use Management and Municipal Support	21,922	21,828	94	24,492	23,999	493
Regional Planning and Management and Special Programmes	12,491	11,975	516	12,088	12,088	-
Total	58,358	57,076	1 282	58,469	57,951	518

Provincial Environment Sector Standardised Performance Measures (PESSPM)

PROGRAMME 2	PROGRAMME 3	PROGRAMME 4	PROGRAMME 5	PROGRAMME 6
ENVIRONMENTAL POLICY, PLANNING AND COORDINATION	COMPLIANCE AND ENFORCEMENT	ENVIRONMENTAL QUALITY MANAGEMENT	BIODIVERSITY MANAGEMENT	ENVIRONMENTAL EMPOWERMENT SERVICES
Number of inter-governmental sector programmes implemented	Number of administrative enforcement notices issued for non-compliance with environmental management legislation	Percentage of complete Environmental Impact Assessment (EIA) applications finalized within legislated timeframes	Number of hectares in the conservation estate*	Number of work opportunities created through environment sector public employment programmes
Number of legislated tools developed	Number of completed criminal investigations handed to the NPA for prosecution	Percentage of complete Atmospheric Emission Licenses (AELs) issued within legislated timeframes	Percentage of area of state managed protected areas assessed with a Management Effectiveness Tracking Tool (METT) score above 67%*	Number of environmental awareness activities conducted
Number of environmental research projects completed	Number of compliance inspections conducted	Percentage of complete Waste License applications finalized within legislated timeframes	Percentage of complete biodiversity management permits issued within legislated timeframes*	Number of environmental capacity building activities conducted (News Paper & Radio Talk Articles - Where Applicable)
Number of functional environmental information management systems maintained			Number of Biodiversity Economy initiatives implemented	
Number of climate change response interventions implemented				

*Please refer to the 2022/23 APP of CapeNature, for the respective Programme Performance Information.

Progress on Institutional Response to the COVID-19 Pandemic

Budget Programme	Intervention	Geographic location (Province/ District/local municipality) (Where Possible)	No. of beneficiaries (Where Possible)	Disaggregation of Beneficiaries (Where Possible)	Total budget allocation per intervention (R'000)	Budget spent per intervention (R'000)	Contribution to the Outputs in the APP (where applicable)	Immediate outcomes
1	Procurement of PPE (Medical Supplies)	Whole of the Western Cape	N/A	N/A	18	18	N/A	To protect the officials, including those who go out to health care facilities and engage with communities to protect themselves.
2	Compliance Inspections at Health Care Facilities	Whole of the Western Cape	N/A	N/A	Cost of Employment and Operational Costs	Cost of Employment and Operational Costs	N/A	The purpose of the operation is to address the negligent and/or unlawful gathering, transporting, management and unlawful disposal of COVID-19 HCW and other HCRW (including sanitary waste) which are generated at healthcare facilities within the Province, in accordance with the relevant national/provincial legislative frameworks and guidelines.
3	Waste Management during COVID-19	Whole of the Western Cape	N/A	N/A	Cost of Employment and Operational Costs	Cost of Employment and Operational Costs	N/A	The purpose of the operation is to address the negligent and/or unlawful disposal of COVID-19 HCW and other.

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Budget Programme	Intervention	Geographic location (Province/ District/local municipality) (Where Possible)	No. of beneficiaries (Where Possible)	Disaggregation of Beneficiaries (Where Possible)	Total budget allocation per intervention (R'000)	Budget spent per intervention (R'000)	Contribution to the Outputs in the APP (where applicable)	Immediate outcomes
								HCRW (including sanitary waste and PPE) which are generated at healthcare facilities (quarantine and isolation sites) within the Province, in accordance with the relevant national/provincial legislative frameworks and guideline. This also includes medical waste removal from private residences.

5. TRANSFER PAYMENTS

Total transfer payments over the financial year were R299.633 million of which R292,090 million was in respect of CapeNature. The remainder of R7,543 million was transferred to municipalities, non-profit institutions and households as well as the South African Broadcasting Corporation (Television licences).

5.1. Transfer payments to public entities

In terms of the Constitution, the Department is a provincial executive organ of state which is responsible for environmental and development planning matters in the Province, whilst CapeNature is a provincial organ of state with the primary responsibility for promoting and ensuring conservation and related matters in the Province.

Name of Public Entity	Services rendered by the public entity	Amount transferred to the public entity R'000	Amount spent by the public entity R'000	Achievements of the public entity
Western Cape Nature Conservation Board	The objectives of the Western Cape Nature Conservation Board are to: a) Promote and ensure nature conservation and related matters in the Province. b) Render service and provide facilities for research and training in connection with nature conservation and related matters in the Province. c) Ensuring the objectives set out in paragraphs (a) and (b) to generate income.	292,090	292,090	During the 2022/23 reporting period CapeNature had 17 indicators as set out in the Annual Performance Plan. 16 Indicators were achieved (where targets were set) and 1 indicator was not reported on during 2022/23. This indicator has a biennial reporting cycle.
South African Broadcasting Corporation	The corporation ensures broadcasting access to its services, in this case, television services for which a licence was paid.	13	13	Not applicable

Funding to CapeNature is provided as a transfer payment from Programme 5: Biodiversity Management. This includes allocations for disaster prevention measures, infrastructure upgrades and related capital needs as well as a national conditional grant: Expanded Public works Programme Integrated Grant for Provinces.

5.2. Transfer payments to all organisations other than public entities

The below table reflects the transfer payments made for the period 1 April 2022 to 31 March 2023.

Name of transferee	Type of organisation	Purpose for which the funds were used	Did the dept. comply with s 38 (1) (j) of the PFMA	Amount transferred (R'000)	Amount spent by the entity (R'000)	Reasons for the funds unspent by the entity
Bergrivier	Municipality	Implementation of the RSEP Programme	Yes	120	120	All funds have been spent. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Swartland	Municipality	Implementation of the RSEP Programme	Yes	1 200	740	The contractor is on site and the progress is at 60% complete. The project is on par to be completed at the end of May 2023. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Drakenstein	Municipality	Implementation of the RSEP Programme	Yes	600	600	All funds have been spent. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Theewaterskloof	Municipality	Implementation of the RSEP Programme	Yes	1 000	-	There were delays with the supply chain management processes due to challenges with the architect not being registered and delays in the approval of the building plan from the Fire Department. These challenges have been addressed and the contractor has been appointed. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.

Name of transferee	Type of organisation	Purpose for which the funds were used	Did the dept. comply with s 38 (1) (j) of the PFMA	Amount transferred (R'000)	Amount spent by the entity (R'000)	Reasons for the funds unspent by the entity
Mossel Bay	Municipality	Implementation of the RSEP Programme	Yes	1 080	265	The container project is well on its way, the containers are being refurbished off-site and delivered as completed. The project is at 70% currently and all funds will be spent by the end of the municipal financial year. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Breede Valley	Municipality	Implementation of the RSEP Programme	Yes	800	184	The project progress is at 50%. The project will be completed at the end of June 2023. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Cape Agulhas	Municipality	Implementation of the RSEP Programme	Yes	700	92	The skateboard park project is currently at 80% complete and all funds will be spent by the end of the municipal financial year. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Witzenberg	Municipality	Implementation of the RSEP Programme	Yes	500	-	Supply chain challenges were experienced with tenders coming in too high and being unresponsive. Considering these challenges, the Municipality decided to complete the project in-house. The Municipality is in the process of purchasing the materials to start

Name of transferee	Type of organisation	Purpose for which the funds were used	Did the dept. comply with s 38 (1) (j) of the PFMA	Amount transferred (R'000)	Amount spent by the entity (R'000)	Reasons for the funds unspent by the entity
						construction and will be completed at the end of the June 2023. Monitoring includes the compilation of monthly and quarterly reports as well as site visits.
Kogelberg Biosphere Reserve Company	Non-Profit Institution	Biosphere Reserve operations	Yes	200	200	All funds have been spent. Conduct Quarterly oversight reports focusing on, inter alia: quality, alignment, progress against the operational plan and budget, value for money, etc
Cape West Coast Biosphere Reserve Company	Non-Profit Institution	Biosphere Reserve operations	Yes	200	200	All funds have been spent. Conduct Quarterly oversight reports focusing on, inter alia: quality, alignment, progress against the operational plan and budget, value for money, etc
Cape Winelands Biosphere Reserve Company	Non-Profit Institution	Biosphere Reserve operations	Yes	200	200	All funds have been spent. Conduct Quarterly oversight reports focusing on, inter alia: quality, alignment, progress against the operational plan and budget, value for money, etc
Gouritz Cluster Biosphere Reserve Company	Non-Profit Institution	Biosphere Reserve operations	Yes	200	200	All funds have been spent. Conduct Quarterly oversight reports focusing on, inter alia: quality, alignment, progress against the operational plan and budget, value for money, etc

Name of transferee	Type of organisation	Purpose for which the funds were used	Did the dept. comply with s 38 (1) (j) of the PFMA	Amount transferred (R'000)	Amount spent by the entity (R'000)	Reasons for the funds unspent by the entity
Garden Route Biosphere Reserve	Non-Profit Institution	Biosphere Reserve operations	Yes	200	200	All funds have been spent. Conduct Quarterly oversight reports focusing on, inter alia: quality, alignment, progress against the operational plan and budget, value for money, etc
Various officials exited the employ of the Department	Employees	Leave Gratuity	N/A	522	522	Not applicable
Dr FM Surve and Associates Incorporated	Medical service provider	Injury on duty of official	N/A	5	5	Not applicable
WESP Radiology Dr WE Scribante and Partners	Medical service provider	Injury on duty of official	N/A	1	1	Not applicable
Mosaic	Non-profit institution	Guest speaker at Departmental Gender mainstreaming forum event	N/A	2	2	Not applicable

6. CONDITIONAL GRANTS

The tables below detail the conditional grant and earmarked funds received during for the period 1 April 2022 to 31 March 2023.

6.1. Conditional Grant – Expanded Public Works Programme

Department who transferred the grant	National Department of Public Works and Infrastructure
Purpose of the grant	To create employment opportunities for 76 full time equivalent jobs (FTEs) that will contribute towards biodiversity conservation initiatives within the Environment and Culture EPWP programmes/ projects for the 2022/23 financial year.
Expected outputs of the grant	76 FTEs to be employed in 3 specified CapeNature Reserves. (Kogelberg Nature Reserve, Vrolijkheid Nature Reserve and Dassen Coastal Corridor Partnership).
Actual outputs achieved	As per EPWP Reporting System 84 work opportunities were created by end March 2023 and 14 416 person days were generated.
Amount per amended DORA	R4,468 million
Amount received	R4,468 million
Reasons if amount as per DORA was not received	N/A
Amount spent by the department	R4,468 million
Reasons for the funds unspent by the entity	N/A
Reasons for deviations on performance	As at 31 st March 2023, total person days were 14 416, the number of work opportunities were 84 and the number of FTEs were 60. Challenges experienced are the fact that the local tourism industry is recovering after the COVID-19 Pandemic as it seems that many opt to pursue an opportunity in the hospitality industry since it pays more. Seasonal work on farms is also another competitor as, though short term, it pays more (in some cases R10 to R30 more). Project assessments, i.e., to monitor and evaluate project implementation, were conducted in all 3 projects in conjunction with the National Department of Public Works and Infrastructure. Different training (accredited and unaccredited) was also implemented to support and capacitate the participants to enable them to complete their daily tasks related to the production outputs. Some of the training were telephone etiquette, snake handling, chainsaw operator, brush-cutter, first aid level 1, basic firefighting, etc.

Measures taken to improve performance	Measures have been put in place to access municipal unemployment databases and reconsider the venues where vacancies are advertised, such as clinics and spaza shops, which have a high footfall. Additionally, efforts are made to ensure that all advertisements reach ward committees. The recruitment and selection process are being fast-tracked to expedite the hiring process.
Monitoring mechanism by the receiving department	Compulsory compliance monitoring site visits were conducted at all the projects to ensure compliance. Regular and timeous reporting on the Expanded Public Works Reporting System allowed compliance and consistent desktop monitoring. Excellent planning and adaptive implementation ensured achievement of vulnerability targets. Good working relationship between public bodies (CapeNature), lead department (WC-DEA&DP) and other participating provincial departments are fostered and continue to yield excellent results.

6.2. Earmarked Allocations

Department who transferred earmarked allocation	Provincial Treasury
Purpose of the earmarked funds	Regional Socio-Economic Projects (RSEP): To implement and enhance programmes to interact with stakeholders especially municipalities and empower communities to partner with government in implementing socio-economic and urban upgrading programmes.
Expected outputs of the grant	The Programme aims to support (financially and technically) municipalities in implementing urban upliftment projects and precinct planning benefitting marginalised and under-served areas, as well as small and medium-sized towns in the Province in general. Projects are implemented at a local/neighbourhood.
Actual outputs achieved	The RSEP Programme assisted 14 municipalities (19 towns) with planning, design, and implementation of projects.
Amount per amended DORA	N/A
Amount received	R12,196 million
Reasons if amount as per DORA was not received	N/A

Amount spent by the department	R11,975 million
Reasons for the funds unspent by the entity	Under expenditure was less than 2% with a portion of this being in respect of an invoice which was received after year-end as well as Compensation of employees due to the resignation of a staff member.
Reasons for deviations on performance	N/A
Measures taken to improve performance	Performance regarding the spending of the grant funding once transferred to the municipalities, is the responsibility of the municipalities. The RSEP Office has a very close and good relationship with the receiving municipalities and is continuously improving assistance provided to the municipalities. The Programme Office is continuously seeking ways to improve its own, but also the performance of municipalities by using lessons learnt through the interaction with the RSEP municipalities as well as other stakeholders and introducing new processes if possible (for instance assisting with planning and design by the RSEP Team) and mitigating measures.
Monitoring mechanism by the receiving department	Monthly reporting (resulting in 'Quick Reports') with municipalities either online or in person depending on budget and the need. These reports contain issues or risks as well as mitigating factors where possible.
Department who transferred earmarked allocation	Provincial Treasury
Purpose of the earmarked funds	CapeNature: Disaster prevention measures – management of wildfires, floods, and other risks.
Expected outputs of the grant	Specialised fire-fighting Personal Protective Clothing and equipment as per the needs analysis purchased and distributed. 157 CapeNature staff trained in firefighting. Six agreements in place to manage nine CapeNature Working on Fire teams. Fire Protection Association Membership Fees and Fire Insurance. Response to wildfires, floods and other risks.

Actual outputs achieved	All specialised fire-fighting Personal Protective Clothing and equipment as per the needs analysis were purchased and distributed. 110 CapeNature staff trained in firefighting. Six agreements in place to manage nine CapeNature Working on Fire teams. Fire Protection Association Membership Fees and Fire Insurance paid. Responded to 86 wildfires. No response to floods or other risks.
Amount per amended DORA	N/A
Amount received	R10,440 million
Reasons if amount as per DORA was not received	N/A
Amount spent by the department	R10,440 million
Reasons for the funds unspent by the entity	N/A
Reasons for deviations on performance	Cause and origin training could not be conducted for 47 staff due to the high number of wildfires in Quarter 4.
Measures taken to improve performance	Fire training will be conducted earlier in the year so as not to be impacted by summer wildfires.
Monitoring mechanism by the receiving department	Various systems and internal guidelines to ensure a consistent response to disasters are in place within the Entity. Monthly and quarterly reporting is required both internally and to DEA&DP.

Department who transferred earmarked allocation	Provincial Treasury
Purpose of the earmarked funds	CapeNature: Risk Mitigation and prevention of fires, floods, oil spills and other disasters that impact on biodiversity.
Expected outputs of the grant	Specialised fire-fighting Personal Protective Clothing and equipment (PPE) as per the needs analysis purchased and distributed. 315 CapeNature staff trained in firefighting. Agreements in place to manage nine CapeNature Working on Fire teams. Fire Protection Association Membership Fees and Fire Insurance. Response to wildfires, floods and other risks.

Actual outputs achieved	Responded to 70 wildfire events. Trained 315 CapeNature staff in firefighting. All PPE and fire equipment has been delivered and allocated. Service Level Agreement extension signed with Working on Fire for period of 05 Jan 2023 to 31 March 2023 to manage nine CapeNature Working on Fire teams. Service Level Agreement signed with Unvuyani Safety in December 2022 for the procurement of fire suits. Two Service Level Agreements signed with Kishugu Aerial for the winter aerial support as well as for the summer aerial support.
Amount per amended DORA	N/A
Amount received	R10,848 million
Reasons if amount as per DORA was not received	N/A
Amount spent by the department	R10,848 million
Reasons for the funds unspent by the entity	N/A
Reasons for deviations on performance	Several wildfires proved very difficult to manage due to their location (threatening valuable infrastructure) and difficult weather conditions necessitating higher than planned expenditure using aerial fire-fighting measures.
Measures taken to improve performance	Training, procedures and equipment are in place to deal with unplanned wildfires, but the number and extent of wildfires is beyond the entity's control.
Monitoring mechanism by the receiving department	All wildfire incidents including expenditure are recorded on an online disaster management system (FireWeb). The Incident Command System is used to coordinate fire-fighting activities across entities and agencies.

Department who transferred earmarked allocation	Provincial Treasury
Purpose of the earmarked funds	CapeNature: The completion of new tourism facilities, upgrade of existing tourism facilities and scheduled maintenance thereof.
Expected outputs of the grant	Completion of upgrade projects and maintenance of tourism facilities, including new tourism facilities and planning for future developments.

Actual outputs achieved	A total of six APP projects have been completed during the financial year against an annual target of ten. It should be noted that repairs and maintenance was consolidated into one APP project.
Amount per amended DORA	N/A
Amount received	R41,477 million
Reasons if amount as per DORA was not received	N/A
Amount spent by the department	R38,225 million spent by CapeNature
Reasons for the funds unspent by the entity	The underspending for the financial year is due to challenges, resulting in four incomplete projects, namely: De Mond Upgrades; Anysberg Solar; Vrolijkheid Upgrades; and Wolwekloof Picnic Sites.
Reasons for deviations on performance	Four projects could not be completed as planned due to the following reasons: • The Department of Forestry, Fisheries and the Environment (DFFE) reversed an initial approval to commence with the De Mond Upgrade. • There has been a shortage of selected materials and components to initiate and conclude the Anysberg Solar project because of the ongoing loadshedding in South Africa. • The dam lining at Vrolijkheid was delayed due to the initial supplier closing their business. • The Wolwekloof Picnic Sites project timeline was extended due to an approved variation as a result of change of scope of work to include electricity and water upgrades.
Measures taken to improve performance	Monthly meetings with the Department of Transport and Public Works CAPEX Team are being held to ensure progress with the De Mond Upgrades. The contractor for Anysberg Solar project is currently on site, with installation to commence after receipt of all inverters and solar panels. An alternative supplier was sought for the Vrolijkheid Upgrades, but due to a longer lead time, the project is expected to be completed by the end of April 2023. The Wolwekloof project is expected to be completed at the end of May 2023.

Monitoring mechanism by the receiving department	CapeNature Monthly Progress Reports to Provincial Treasury.
	CapeNature Quarterly Reports to Provincial Treasury.
	CapeNature Quarterly input into Western Cape' Cabinet submissions.
	Tourism Development Team Monthly PDO reports to CapeNature Executive Team.
	Tourism Development and Operations Monthly Reports to CapeNature Executive Team.
	Supply Chain Management Procurement Plans (CapeNature).
	Minutes of meetings and construction programmes.
	Monitoring of APP deliverables are conducted by Executive Director and the CapeNature Performance Management Unit.

7. DONOR FUNDS

7.1. DONOR FUNDS RECEIVED

The tables below detail/s the donor funds received during for the period 1 April 2022 to 31 March 2023.

Name of donor	Environmental Training and Development Practices Sector Education and Training Authority
Full amount of the funding	R7,000
Period of the commitment	28 - 29 March 2023
Purpose of the funding	Sponsorship for an official to attend a workshop in Gauteng to review the new qualification for Environmental Training and Development
Expected outputs	Review the new qualification in the environmental education field to ensure representation in the entire sector.
Actual outputs achieved	New qualification for Environmental sector
Amount received	In-kind
Amount spent by the department	N/A
Reasons for the funds unspent	N/A
Monitoring mechanism by the donor	N/A

Name of donor	Global Environment Facility (GEF) and United Nations Industrial Development Organisation (UNIDO)
Full amount of the funding	R12,000
Period of the commitment	17-19 August 2022
Purpose of the funding	Sponsorship for two officials to attend the National Biogas Training Workshop for Government Officials and Public Institutions Personnel, in Durban, KwaZulu-Natal
Expected outputs	A better understanding of anaerobic digestion processes and create national and international networks with experts in this field.
Actual outputs achieved	Two officials attended the workshop
Amount received	In-kind
Amount spent by the department	N/A
Reasons for the funds unspent	N/A
Monitoring mechanism by the donor	N/A

Name of donor	South African National Research Foundation
Full amount of the funding	R47,000
Period of the commitment	24 - 29 July 2022
Purpose of the funding	Sponsorship for registration fees to attend the 15th International conference virtually on mercury as a global pollutant.
Expected outputs	Assess the implementation of solutions to reduce the emissions and exposure to mercury as a global environmental pollutant
Actual outputs achieved	Six officials attended the Conference virtually
Amount received	In-kind
Amount spent by the department	N/A
Reasons for the funds unspent	N/A
Monitoring mechanism by the donor	N/A

Name of donor	Bauhaus der Erde (BdE)
Full amount of the funding	R50,000
Period of the commitment	03-08 October 2022
Purpose of the funding	Sponsorship for an official for travel and accommodation in Barcelona, Spain to participate on ways as to how the Charter for City and the Earth could be implemented at city-regional level
Expected outputs	Showcasing of the Western Cape as a progressive subnational government responding to climate change. Strengthening the partnerships with the delegation leads, namely African Centre for Cities (UCT) and Western Cape Economic Development Partnership. International peer learning. Identifying opportunities for discrete projects and programmes. Potential future partnerships
Actual outputs achieved	One official participated in the discussions
Amount received	In-kind
Amount spent by the department	N/A

Reasons for the funds unspent	N/A
Monitoring mechanism by the donor	N/A

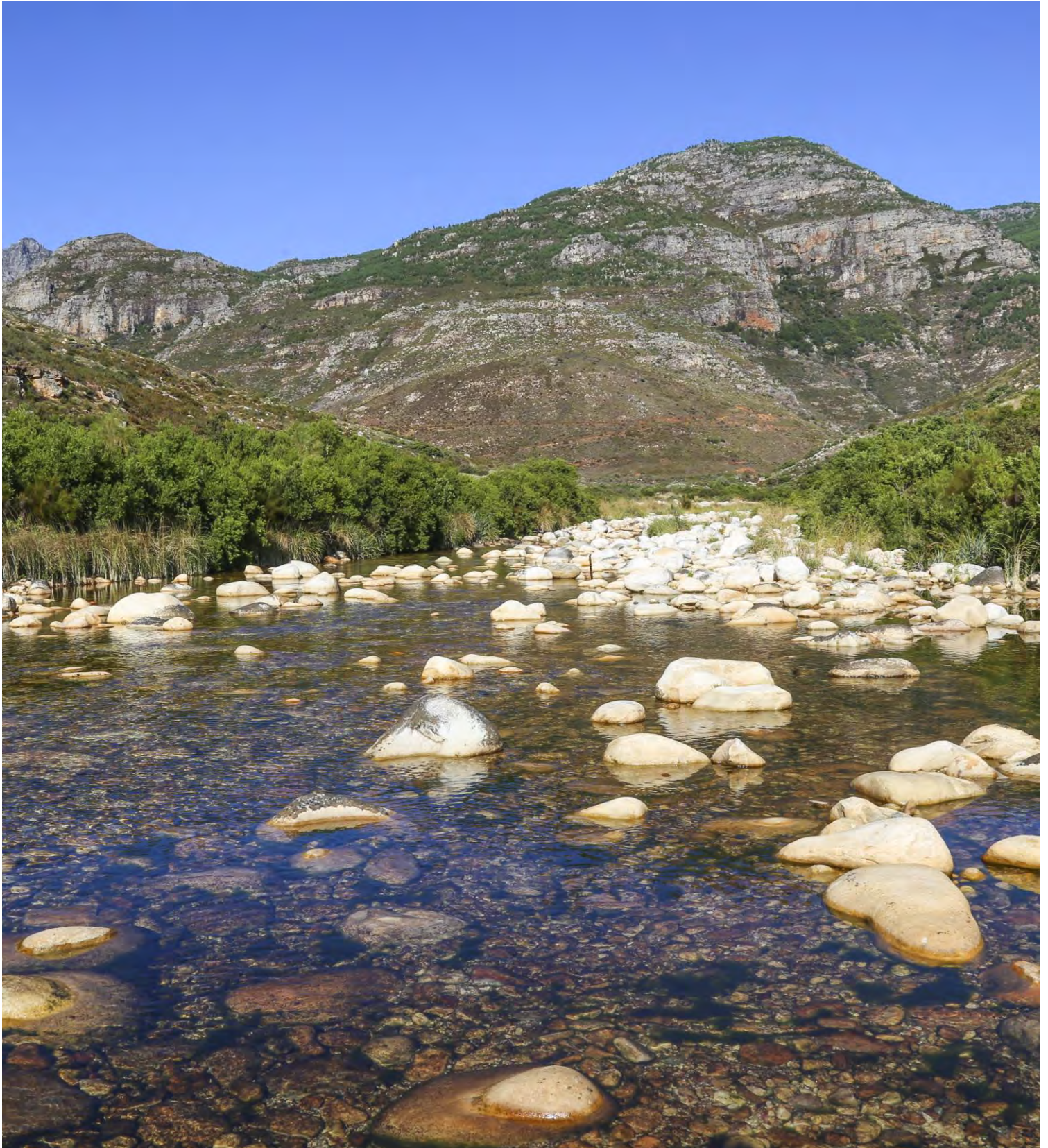
8. CAPITAL INVESTMENT

8.1. Capital investment, maintenance and asset management plan

The buildings occupied by the Department are managed by the Department of Transport and Public Works (DTPW).

Maintenance work for these buildings is undertaken by DTPW while the Department is responsible for smaller operational maintenance.

PART C: GOVERNANCE



1. INTRODUCTION

The Department is committed to uphold the requirements set out in the PFMA and the King IV Report on Corporate Governance. This is to provide Management with reasonable assurance that the internal controls are adequate and effective. This is achieved by a risk-based Internal Audit plan, Internal Audit assessing the adequacy of controls mitigating the risks and the Audit Committee monitoring implementation of corrective action. Progress has been made with the implementation of the Enterprise Risk Management Strategy and Implementation Plan and the strategic programme risks were rearticulated based on the Department's Strategic Objectives. Compliance with the Department's policies and procedures, laws and regulations, strong and efficient governance is considered key to the Department's success.

2. RISK MANAGEMENT

The Accounting Officer (AO) for the Department takes responsibility for implementing Enterprise Risk Management (ERM) in accordance with the National Treasury Public Sector Risk Management Framework (PSRMF) and the Directorate Enterprise Risk Management (D: ERM) in the Department of the Premier (DotP) provides a centralised service to the Department.

The Department established a Governance Committee (GOVCOM) to assist the Accounting Officer in executing his responsibilities relating to risk management.

ENTERPRISE RISK MANAGEMENT POLICY AND STRATEGY

The Department adopted an Enterprise Risk Management Policy on 31 March 2020 for the 2021/22 – 2024/25 financial years. This policy articulates the risk management philosophy and captures, on a high-level, the roles and responsibilities of the different role players. It provides the basis for the risk management process which is supplemented with the detail in the strategy.

The Enterprise Risk Management (ERM) strategy and implementation plan outlines how the Department will go about implementing the ERM Policy adopted by the Accounting Officer (AO). This ERM strategy is informed by the Provincial Enterprise Risk Management Policy and Strategy (PERMPS) as well as its own ERM Policy and risk profiles.

GOVCOM RESPONSIBILITY

The GOVCOM reports that it has complied with its responsibilities arising from Section 38 (1)(a)(i) of the Public Finance Management Act, Treasury Regulation 3.2.1 and Public Service Regulations of 2016, Chapter 2, Part 1, 2 and 3. The GOVCOM also reports that it has adopted an appropriate formal Terms of Reference (approved by Accounting Officer on 26 July 2021) and regulated its affairs in compliance with this Terms of Reference and has discharged all its responsibilities as contained therein.

GOVCOM MEMBERS

The GOVCOM comprises of the AO, top management, SMS and selected members of the department's management team. As per its Terms of Reference, the GOVCOM met four times (quarterly) during the year under review.

The table below discloses relevant information on GOVCOM members:

Name	Position	Meetings attended	Date Appointed
Mr G Gerber	Accounting Officer (Chairperson)	4	N/A
Mr RT Mosome	CD: Management Support – (CFO)	3*	10/08/2021
Mr A Mohamed	CD: Environmental Governance, Policy Co-ordination and Enforcement	3*	16/04/2018
Mr G Arendse	CD: Environmental Quality	4	16/04/2018
Ms K Shippey	CD: Environmental Sustainability	4	16/04/2018
Ms F Mabusela	CD: Development Planning	1**	02/03/2023
Mr J Fritz	D: Financial Management	4	16/04/2018
Mr A Gaffoor	D: Strategic and Operational Support	4	16/04/2018

* Where the appointed member could not attend a meeting, a delegated secundi attended as per the approved Terms of Reference.

** Ms F Mabusela assumed duty as Chief Director: Development Planning on 1 February 2023.

The following is an indication of other officials who attended the GOVCOM meetings for the year under review:

Name	Position	Meetings attended
Ms V Simpson-Murray	D: Internal Audit (DotP)	3
Ms S Carelse	DD: Internal Audit (DotP)	4
Ms A Haq	D: Enterprise Risk Management (DoTP)	4
Mr S Africa	Chief Risk Advisor: Enterprise Risk Management (DotP)	4
Ms B Cebekhulu	DD: Provincial Forensic Services (DotP)	4
Ms E de Bruyn	D: Ce-I (DoTP)	3
Mr F Gamiet	DD: ICT Services Manager (DotP)	2
Mr E Peters	ICT Risk Practitioner (DotP)	2
Ms M Kroese	DD: CRU / Ethics Officer	4
Mr S Smith	DD: Internal Control	3
Ms R Heera	ASD: Internal Control	4
Mr N Liphuko	ASD: Internal Control/ Secretariat	4

GOVCOM KEY ACTIVITIES

The Accounting Officer is the Chairperson of the GOVCOM and the Director: Strategic and Operational Support was appointed as the risk champion.

In executing its function, the GOVCOM performed the following key activities during the year:

- Reviewed the Department's Risk Management Policy, Strategy, and Implementation Plan; for recommendation by the Audit Committee and approval by the Accounting Officer;
- Set, reviewed and applied appropriate risk appetite and tolerances, and recommended same for approval by the Accounting Officer;

- Reported to the Accounting Officer any material changes to the risk profile of the Department;
- Evaluated the extent and effectiveness of integration of risk management within the Department;
- Assessed the implementation of the departmental Risk Management Policy, Strategy and Implementation Plan;
- Evaluated the effectiveness and mitigating strategies to address the material strategic, operational, ethics and economic crime risks;
- Reviewed the Fraud and Corruption Prevention Plan and Response Plan as well as the concomitant Implementation Plan and recommended for approval by the Accounting Officer;
- Monitored the implementation of the Fraud and Corruption Prevention Implementation Plan;
- Assessed the implementation of the departmental Ethics Management Implementation Plan;
- Provided oversight on ethics management in the Department.

KEY RISKS CONSIDERED AND ADDRESSED DURING THE YEAR

The following are key strategic risks for the Department that were reviewed during the year, including the assessment of existing and additional mitigating measures in place:

1. ***"Unsustainable use of Western Cape natural resource base"***. *The current State of Environment Report for the WCG confirms and emphasises that all-natural indicators are in decline and under extreme pressure. This has fundamental disruptive impacts on the provincial economy and reduces the ability of the region to withstand severe weather and other shocks and disasters. The World Economic Forum 2023 Global Risk Report emphasised a potential "polycrises" (the simultaneous occurrence of several catastrophic events), relating to shortages of natural resources such as food, water, metals and minerals.*
2. *The business continuity risk was re-articulated to "An unplanned significant disruption to deliver DEA&DP services" due to the impact of loadshedding on the Department's operations. The Business Impact Analysis (BIA) and BCP identified potential threats to the Department and indicate those with the highest probability. The Department formulated specific responses in respect of the threats with the highest probability threats, namely:*
 - Electrical disruption (loadshedding);
 - Water disruption; and
 - Managing communicable Disease in the workplace.

Progress on the implementation of the Business Continuity Plan is reported to the Departmental GOVCOM on a quarterly basis.

3. ***"Inability to attract and retain suitable staff"***. *The COE budget and remuneration packages offered to potential new recruits and lack of a comprehensive retention policy are key limiting factors to this risk. The Department is experiencing difficulty in attracting staff, due to private sector remuneration levels for specific levels and is not always able to negotiate remuneration scales with new recruits or with those staff members exiting.*
4. ***"Limited availability and access to quality, reliable and accurate information"***. *This risk could have of a bearing effect on the integrity of performance information and thereby compromising and impacting decision making and planning.*
5. ***"Poor spatial and land use management performance by all spheres of government in the Western Cape"***. *A major causal factor to this risk is the shared development planning mandate across all spheres of government and all sectors and the distinctiveness of the three spheres of government.*

6. *The risk “Environmental Management Inspectors (EMIs) and other staff conducting inspections and field work exposed to threats or dangerous working areas (i.e., volatile communities or high crime areas and/or occupational hazards) are compromised while fulfilling their normal duties” is a new risk that was approved by GOVCOM and added to the Department’s strategic risk profile. The Department has considered further action plans to manage the risk adequately and effectively.*

The rapid manifestation of Climate Change in the Western Cape can be observed in changeability of weather and climate patterns, such as droughts and heatwaves. Climate Change is a social and economic issue, as it represents threats to economic prosperity. The WCG Provincial Risk Register allocates responsibility for action response with each provincial vote budget holder responsible for infrastructure and economic development. The Department coordinates the development and implementation of the Western Cape Climate Change Response Strategy Vision 2050 (WCCCRS) that depicts current realities, priorities and response activities that included the following:

- Capacitation of sector departments and municipalities
- Working with private sector, facilitating partnerships

The WCCCRS is supported by a detailed action-orientated Implementation Plan with clear milestones, action plans and response owners, including regular monitoring and evaluation to track progress.

Without significant policy change or investment, the interplay between climate change impacts, biodiversity loss, food security and natural resource consumption will accelerate ecosystem collapse, threaten food supplies and livelihoods in climate-vulnerable economies, amplify the impacts of natural disasters, and limit further progress on climate mitigation (WEF 2023 Global Risk Report).

Each Chief Directorate’s risks were deliberated/debated at the quarterly GOVCOM meetings. Chief Directors were required to provide feedback on progress with implementation of action plans to reduce the likelihood of risks materialising and/or the impact should they materialise. GOVCOM also referred risks back that should be analysed more extensively and recommended additional mitigations or actions to manage risks.

The Economic Cluster Audit Committee provided independent oversight of the department’s system of risk management. The Audit Committee was furnished with Quarterly ERM progress reports and risk registers to execute their independent oversight role.

KEY EMERGING RISKS FOR THE FOLLOWING FINANCIAL YEAR

The GOVCOM considers emerging risks during its quarterly meetings, also at SMS meetings. The key emerging risk which needs to be considered in the next financial year relates to the department’s ability to deal with the impacts of the “Structural integrity risk in respect of the first floor at 1 Dorp street”. This risk factor poses a direct impact to the occupational health and safety of staff and clients/visitors.

Management of risks

Regular strategic and Chief Directorates risk assessments are conducted to determine the effectiveness of the department’s risk management strategy and to identify new and emerging risks because of changes in the internal and/or external environment. Each programme’s risks were deliberated and debated during the year and presented at the quarterly GOVCOM meetings. Senior managers were required to provide feedback on progress with implementation of action plans to reduce the likelihood of risks materialising and/or the impact should they materialise. GOVCOM also referred risks back to the respective programmes that should be analysed more extensively and

recommended additional mitigations or actions to manage risks. Management takes ownership of risks and often discusses risk matters at various platforms as part of its culture in an effort to constrain risks in a collaborative and innovative way. The department's ERM Policy and Strategy are circulated to all officials on an annual basis for all levels of staff to stay abreast of enhancements that have been affected and as a means of embedding risk management throughout the department. Bespoke and generic risk awareness sessions were also conducted to share benchmarking elements so that risk management can mature in the Department. Activities detailed in the implementation plan are perpetually monitored and periodically reported on, in the same way that APP deliverables are monitored, to detect potential risks and deviations from indicators and the achievement of outcomes and non-adherence to legislative and policy mandates.

The Economic Cluster Audit Committee provided independent oversight of the Department's system of risk management. The Audit Committee was furnished with quarterly ERM progress reports and risk registers to execute their independent oversight role.

CONCLUSION

The management of risks enabled the Department to maintain its performance despite limited human and financial resources. The current State of Environment Report for the Province confirms that all natural indicators are in decline and under extreme pressure. This has fundamental disruptive impact on the provincial economy and reduces the ability of the Province to withstand severe weather and other shocks and disasters.

3. FRAUD AND CORRUPTION

Fraud and corruption represent significant potential risks to the Department's assets and can negatively impact on service delivery efficiency and the Department's reputation.

The WCG adopted an Anti-Fraud and Corruption Strategy which confirms the Province's zero-tolerance stance towards fraud, theft and corruption. In line with this strategy the Department is committed to zero-tolerance with regard to corrupt, fraudulent or any other criminal activities, whether internal or external, and vigorously pursues and prosecutes by all legal means available, any parties who engage in such practices or attempt to do so.

The Department has an approved Fraud and Corruption Prevention Plan and a concomitant Fraud Prevention Implementation Plan which gives effect to the Prevention Plan.

Various channels for reporting allegations of fraud, theft and corruption exist and these are described in detail in the Provincial Anti-Fraud and Corruption Strategy, the WCG Whistle-blowing Policy and the Departmental Fraud and Corruption Prevention Plan. Each allegation received by the Provincial Forensic Services (PFS) Unit is recorded in a Case Management System which is used as a management tool to report on progress made with cases relating to the Department and to generate statistics for the WCG and the Department.

Employees and workers who blow the whistle on suspicions of fraud, corruption and theft are protected if the disclosure is a protected disclosure (i.e., meets statutory requirements of the Protected Disclosures Act, No. 26 of 2000 e.g., if the disclosure was made in good faith). The WCG Whistle-blowing Policy provides guidelines to employees and workers on how to raise concerns with the appropriate line management, specific designated persons in the WCG or external institutions, where

they have reasonable grounds for believing that offences or improprieties have been or are being perpetrated in the WCG. The opportunity to remain anonymous is afforded to any person who would like to report acts of fraud, theft and corruption and, should they do so in person, their identities are kept confidential by the person to whom they are reporting.

If, after investigation, fraud, theft or corruption is confirmed, the employee who participated in such acts is subjected to a disciplinary hearing. The WCG representative initiating the disciplinary proceedings is required to recommend dismissal of the employee concerned. Where *prima facie* evidence of criminal conduct is detected, a criminal matter is reported to the South African Police Services.

For the year under review, PFS issued a Case Movement Certificate for the Department noting the following:

Cases	Number of cases
Open cases as at 1 April 2022	0
New cases (2022/23)	0
Closed cases (2022/23)	(0)
Open cases as at 31 March 2023	0

4. MINIMISING CONFLICT OF INTEREST

The Department's 2022/23 Enterprise Risk Management Implementation Plan was fully implemented. Financial disclosures of Senior Management Services members were completed and submitted to the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA). The financial interest of staff members on PERSAL were regularly reconciled to the Western Cape Supplier Database. The policy on Remunerative Work Outside of the Public Service (RWOPS) was circulated to all staff. Staff members were required to apply for approval to the HOD for any remunerative work they may perform outside of the workplace. They were further cautioned to ensure that they have the necessary approval, and failing which, will result in disciplinary action.

To achieve conflict of interest coverage and prevention thereof, the Department cemented its stance in terms of ethical service delivery practices and ensured the following:

- All departmental bid committee members sign a declaration of interest for each bid/quotation and if any conflict may exist, the relevant members are required to recuse themselves from the meeting. This declaration also mitigates any potential confidentiality issues that may arise.
- Suppliers are required to complete a WCBD4 document, which requires them to disclose any family members that are involved in the procurement process or employed in the Department. The information on the WCBD4 is verified by the Department prior to the evaluation of a bid or quotation.
- Declarations of interest completed by all staff inviting quotations for all procurement.
- Ensure bidders are not listed on the register of tender defaulters.

The Department's Gift Policy, states that under no circumstances may an employee accept a gift where he/she could be compromised or be bound in his/her work or where his/her judgement could be influenced. The gifts register is maintained within the Office of the Accounting Officer.

5. CODE OF CONDUCT

The Public Service Code of Conduct should act as a guideline to employees as to what is expected of them from an ethical point of view, both in their individual conduct and in their relationships with others. Compliance with the Code can be expected to enhance professionalism and help to ensure confidence in the Public Service.

The primary purpose of the Code is a positive one, viz. to promote exemplary conduct. Notwithstanding this, an employee shall be guilty of misconduct in terms of Section 20 (t) of the Public Service Act, 1994, and may be dealt with in accordance with the relevant sections of the Act if an employee contravenes any provision of the Code of Conduct or fails to comply with any provision thereof.

The Induction programme of the WCG includes training on the Public Service Code of Conduct. The induction programme is compulsory for all new employees on probation in the WCG.

The Department ensures that the Public Service Code of Conduct is circulated to all employees on an annual basis. If an employee contravenes the Public Service Code of Conduct, such employee shall be disciplined in terms of the relevant resolutions and transversal WCG policies.

The Department strives to promote high standards of professional ethics within the organisation. In pursuing an ethical environment, the Accounting Officer appointed Ethics Officers to promote integrity and ethical behaviour in the Department. An Ethics Committee was established that reports to the quarterly GOVCOM meetings.

6. HEALTH SAFETY AND ENVIRONMENTAL ISSUES

In terms of Section 8 (1) of the Occupational Health and Safety Act, it is the responsibility of the employer to provide and maintain, as far as is reasonably practical, a working environment that is safe and without risk to the health of its employees.

To comply with the above provision, the Department implemented an Occupational Health and Safety Policy, to address the aspects pertaining to the employees' health and safety in the Department.

Emergency personnel have been appointed and trained to perform specific roles during an evacuation, real or simulated. Regular health and safety inspections are being conducted and status reports are submitted to the Head of Department. Most issues identified in these inspections are dependent on the cooperation of two external departments, namely the Department of Infrastructure and the Department of Police Oversight and Community Safety.

7. PORTFOLIO COMMITTEES

Date	Matter Raised	Comments/Further Action
14 June 2022	Agenda item: Oversight visits to Biomass and Restore Eden Projects. Projects visited as follows: • Kurland Village Project • Native Roots Homeless Shelter • Timber Two Processors wood mill • Forest View community gardens • Slope Stabilisation in Knysna • Karatara Biomass Project	
	Kurland Village Project: The Committee REQUESTED that the Department of Environmental Affairs and Development Planning provides it with a: 1. Report on the number of youths involved with the project and its impact on the youth; and 2. Information pertaining to the unused open spaces that were observed, indicating if there was the potential for establishing more food gardens.	RESOLVED.
14 June 2022	Agenda item: Oversight visits to Biomass and Restore Eden Projects. Projects visited as follows: • Kurland Village Project • Native Roots Homeless Shelter • Timber Two Processors wood mill. • Forest View community gardens • Slope Stabilisation in Knysna. • Karatara Biomass Project	

	Timber Two Processors Wood Mill: The Committee RECOMMENDED that the Department of Environmental Affairs and Development Planning: 1. Supports the owner of the Timber Mill by issuing him with a letter stating that eucalyptus is an alien invasive plant and that his use of this resource was not endangering the sustainability of the natural environment. 2. Liaises with SANParks in respect of the logs going to waste; and 3. Engages with the National Department of Forestry, Fisheries and the Environment in order to prevent the exportation of logs and investigate the possibility of a provincial and/or national ban.	RESOLVED.
	Decision: Forest View Community: The Committee RECOMMENDED that the Department of Environmental Affairs and Development Planning liaises with the municipalities in the area to investigate sustainable water sources for the harvesting of water.	RESOLVED.
	Slope Stabilisation after the Knysna Fires: The Committee REQUESTED that the Department of Environmental Affairs and Development Planning provides it with a report containing the list of projects, including housing developments that were less successful in terms of restoration after the fires with specific reference to the interventions that were implemented for each project.	RESOLVED.
23 June 2022	Agenda item: Briefing by the Department of Environmental Affairs and Development Planning and CapeNature on the possible withdrawal of the declaration of the Driftsands Nature Reserve in terms of Section 24(1)(b) of the National Environmental Management: Protected Areas Act, 2003 (Act 57 OF 2003) Consideration and Adoption of Draft Committee Report on the possible withdrawal of the declaration of the Driftsands Nature Reserve.	
	The Committee RESOLVED that it would request clarity in writing from the Western Cape Provincial Parliament's Administration, in concurrence with the Legal Adviser, on the interpretation of Standing Rule 90 of the Standing Rules of the Western Cape Provincial Parliament where a representative of a party, who is not in a position to express a view to either support or not support a particular matter, can have this absence of a clear party position captured as a minority view in Committee Reports.	RESOLVED.

21 September 2022	Agenda item: Oversight Visit West Coast: Mining Activities.	
	The Committee RECOMMENDED that the Provincial Minister of Local Government, Environmental Affairs and Development Planning address at MINTECH the lack of cooperation between the three spheres of government when it comes to mining applications, including the environmental aspects of such mines and that the Mining Task Team works towards greater cooperation and cohesion.	RESOLVED.
	The Committee Recommended that the Western Cape Government, through the functioning of the Western Cape Land Use Planning Act, 2014 (Act 3 of 1014), is legislated to consider and approve certain category of mines, and that its efforts should be focused on these opportunities to ensure mines are not impacting on sensitive environments or vulnerable communities.	RESOLVED.
	The Committee RESOLVED that it would Confer with the Provincial Minister of Local Government, Environmental Affairs and Development Planning, requesting that the Department enhance its efforts to ensure that identified sensitive areas such as agricultural and irrigation areas, sensitive biodiversity areas and areas along the coast and estuaries are included in their Spatial Development Frameworks, which could then inform decision-making more effectively to bring the balance in approach that is required.	RESOLVED.
	The Committee REQUESTED that the Department of Environmental Affairs and Development Planning provides it with the mandate of the Mining Task Team as well as the work of the Task Team to date.	RESOLVED.
22 September 2022	Agenda item: Oversight Visit West Coast: Mining Activities.	
	The Committee REQUESTED that Minister of Local Government, Environmental Affairs and Development Planning provides it with any legislative steps that could possibly be taken to strengthen the voice of province in commenting on mining and prospecting applications.	RESOLVED.
21 October 2022	Agenda item: Annual Report discussion: Department of Environmental Affairs and Development Planning and CapeNature	

	The Committee REQUESTED that the Department of Environmental Affairs and Development Planning and CapeNature provides it with a Report on the high staff vacancy rate that exists, with specific reference to the period that each of these posts have been vacant, the vacant posts that are funded and the vacant posts that were not funded.	RESOLVED.
	The Committee RECOMMENDED that the Department of Environmental Affairs and Development Planning and CapeNature: Address the issue of the high vacancy rate as this may impact on the quality-of-service delivery within the Department and Entity.	RESOLVED.
	The Committee RECOMMENDED that the Department of Environmental Affairs and Development Planning and CapeNature extend an invitation to the Committee to attend ceremonies and events such as the Ramsar Ceremony and the launch of the Berg River Improvement Plan so that the Committee is kept abreast of developments within the Department and Entity.	RESOLVED.
1 February 2023	Agenda item: Cluster B Visit Week: Groenvlei Carpe Project	
	The delegation further requested that the Department of Environmental Affairs and Development Planning and CapeNature provides it with a list of their initiatives to eradicate poverty through the utilisation of their assets and focus areas.	Official correspondence issued.
	The delegation Recommended that the Department of Environmental Affairs and Development Planning provide support to Gift of the Givers and CapeNature so that they can continue with this project.	Official correspondence will be issued.
28 February 2023	Agenda item: Briefing by the Department of Environmental Affairs and Development Planning on the implementation of the Western Cape Biodiversity Act, 2021 (Act 6 of 2021) and the associated Regulations	

	The Committee REQUESTED that the Department provides it with: 1. The timeframe for the first round of stakeholder engagements on the regulations and an update in terms of the outcome of these engagements after the first round of engagements in August 2023; 2. A copy of the draft regulations before publication; and 3. Further detail on the public engagement process, with specific reference to the list of stakeholder groups that were identified by the Department and CapeNature as organised and less organised sectors.	RESOLVED.
15 March 2023	Agenda item: Deliberation on Vote 9: Environmental Affairs and Development Planning in the Schedule to the Western Cape Appropriation Bill [B 2–2023]	
	The Committee REQUESTED that the Department provides it with: 1. A report on the Western Cape Biosphere Reserves with specific reference to its history, funding and the responsibility of The United Nations Educational, Scientific and Cultural Organization (UNESCO) in this regard; and 2. A detailed report on the R17 million that was spent on the Sustainable Water Management Plan with specific reference to the areas that have benefitted from this Plan and the amount that was spent in each area.	Official correspondence will be sent once the report has been adopted.
	The Committee RESOLVED that it would, at a future date, confer with the Standing Committee on Local Government to consider attending a briefing on the Sustainable Water Management Plan of the Department of Environmental Affairs and Development Planning.	Date to be confirmed.
	The Committee RESOLVED that it would undertake an oversight visit to relevant Biosphere Reserves in the Western Cape.	Date to be confirmed.

8. SCOPA RESOLUTIONS

Subject	Details	Response by the Department	Resolved (Yes/No)
Page: 185 of the Annual Report. Heading: "Appropriation per programme" Description: The Committee notes with concern the decreased 2021/22 appropriation of R565,417 million and how it decreased from the 2020/21 appropriated allocation of R588,532 million. The Committee is concerned that the future annual appropriations will negatively impact on the service delivery mandates of the Department and its Entity.	That the Committee engage with the Department, Provincial Treasury and the Financial and Fiscal Commission to ascertain how the annual appropriation of the Department and its Entity can be increased to meet their expanding service delivery mandates.	N/A	Yes

List of Information Requested:

None

9. PRIOR MODIFICATIONS TO AUDIT REPORTS

As per the 2021/22 AGSA Audit Report, no matters of non-compliance were identified.

There were no prior year modifications to the audit report.

10. INTERNAL CONTROL UNIT

Internal Control is a multi-dimensional interactive process of on-going tasks and activities that ensures adherence to policies and systems. An effective internal control system ensures that management and those charged with governance have reasonable assurance that operations are managed efficiently and effectively, financial and non-financial reporting is reliable, and laws and regulations are complied with. The leadership of an organisation sets the tone from the top regarding the importance of internal controls and expected standards of conduct. This establishes the control environment which is the foundation for the other components of internal control and provides discipline, process and structure.

The Departmental Internal Control Unit embarked on a range of financial compliance inspections. The Unit conducted audits on high-risk financial processes and performed the secretariat function to the Departmental GOVCOM. The Internal Control Unit also co-ordinated the Departmental Management Improvement Plan (MIP) to monitor the Department's progress in addressing audit findings in the

Auditor General's Management Report for 2021/22 and review compliance to legislative standards. The MIP progress reports were submitted quarterly to the Shared Economic Cluster Audit Committee

11. INTERNAL AUDIT AND AUDIT COMMITTEES

Internal Audit provides management with independent, objective assurance and consulting services designed to add value and to continuously improve the operations of the Department. It should assist the Department to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of Governance, Risk Management and Control processes. The following key activities are performed in this regard:

- Assess and make appropriate recommendations for improving the governance processes in achieving the department's objectives;
- Evaluate the adequacy and effectiveness and contribute to the improvement of the risk management process;
- Assist the Accounting Officer in maintaining efficient and effective controls by evaluating those controls to determine their effectiveness and efficiency, and by developing recommendations for enhancement or improvement.

Internal Audit work completed during the year under review for the Department included five assurance engagements (including 1 transversal engagement), and one consulting engagement (including 1 transversal engagement) and three follow ups. The details of these engagements are included in the Audit Committee report.

The Audit Committee is established as an oversight body, providing independent oversight over governance, risk management and control processes in the Department, which include oversight and review of the following:

- Internal Audit function;
- External Audit function (Auditor General of South Africa - AGSA);
- Departmental Accounting and reporting;
- Departmental Accounting Policies;
- AGSA management and audit report;
- Departmental In year Monitoring;
- Departmental Risk Management;
- Internal Control;
- Pre-determined objectives;
- Ethics, Fraud and Corruption

The table below discloses relevant information on the audit committee members:

Name	Qualifications	Internal or external	If internal, position in the department	Date appointed	Date Resigned	No. of Meetings attended
Mr Comfort Bunting (Chairperson)	ND: Internal Audit MBA	External	N/A	1 January 2022 (1 st Term)	N/A	7
Ms Annelise Cilliers	CA (SA)	External	N/A	1 January 2022 (2 nd Term)	N/A	7
Ms Lynne Tromp	CA(SA); MBA	External	N/A	1 January 2021 (1 st Term)	N/A	7
Mr Tsepo Lesihla	ND: IT Master of Technology in IT	External	N/A	1 January 2022 (1 st Term)	N/A	6

12. AUDIT COMMITTEE REPORT

We are pleased to present our report for the financial year ended 31 March 2023.

Audit Committee Responsibility

The Audit Committee reports that it has complied with its responsibilities arising from Section 38 (1) (a) (ii) of the Public Finance Management Act and Treasury Regulation 3.1. The Audit Committee also reports that it has adopted appropriate formal terms of reference as its Audit Committee Charter, has regulated its affairs in compliance with this charter and has discharged all its responsibilities as contained therein.

The Effectiveness of Internal Control

The Department is required to develop and maintain systems of internal control that would improve the likelihood of achieving its objectives, to adapt to changes in the environment it operates in and to promote efficiency and effectiveness of operations, supports reliable reporting and compliance with laws and regulations. The WCG adopted a Combined Assurance Framework which identifies and integrates assurance providers. The first level of assurance is management assurance, requiring of line management to maintain effective internal controls and execute those procedures on a day-to-day basis by means of supervisory controls and taking remedial action where required. The second level of assurance is internal assurance provided by functions separate from direct line management, entrusted with assessing adherence to policies, procedures, norms, standards and frameworks. The third level of assurance is independent assurance providers that are guided by professional standards requiring the highest levels of independence.

A risk-based Combined Assurance Plan was developed for the Department, facilitated by Internal Audit, who is also an independent assurance provider. Internal Audit provides the Audit Committee and Management with reasonable assurance that the internal controls are adequate and effective. This is achieved by an approved risk-based internal audit plan, Internal Audit assessing the adequacy

of controls mitigating the risks and the Audit Committee monitoring implementation of corrective actions.

The following internal audit engagements were approved by the Audit Committee for the year under review:

Assurance Engagements:

- Directive on Public Administration and Management Delegations
- Internal Control Assessment
- Transfer Payments
- Environmental Law Enforcement
- Environmental Appeals Management

The areas for improvements, as noted by Internal Audit during performance of their work, were agreed to by Management. The Audit Committee continues to monitor the implementation of agreed actions on a quarterly basis. **In-Year Monitoring Monthly/Quarterly Report**

The Audit Committee is satisfied with the content and quality of the quarterly in-year management and performance reports issued during the year under review by the Accounting Officer of the Department in terms of the National Treasury Regulations and the Division of Revenue Act.

Evaluation of Financial Statements

The Audit Committee has:

- reviewed the Audited Annual Financial Statements to be included in the Annual Report;
- reviewed the AGSA's Management Report and Management's response thereto; and
- reviewed changes to accounting policies and practices as reported in the Annual Financial Statements;

Compliance

The Audit Committee has reviewed the Department's processes for compliance with legal and regulatory provisions. Feedback on new provisions that has an impact on the Department are provided quarterly to the Audit Committee.

Provincial Forensics Services

The Audit Committee has reviewed the reports presented by Provincial Forensic Services on a quarterly basis. There were no matters brought to our attention that required further reporting by the Audit Committee.

Performance Information

The Audit Committee has reviewed the information on predetermined objectives as reported in the Annual Report.

The Audit Committee has on a quarterly basis reviewed the Department's implementation plan for audit issues raised in the prior year. The Audit Committee has met with the AGSA to ensure that there are no unresolved issues that emanated from the regulatory audit. Corrective actions on the detailed findings raised by the AGSA are monitored by the Audit Committee on a quarterly basis.

The Audit Committee concurs and accepts the AGSA's opinion regarding the Annual Financial Statements and proposes that these Audited Annual Financial Statements be accepted and read together with their report.

The Audit Committee commends the Department for maintaining an unqualified audit opinion, with no findings and wishes to express appreciation to the Management of the Department, the Auditor-General and the Western Cape Government Corporate Assurance Branch for their co-operation and support.

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Mr Comfort Bunting

Chairperson: Economic Cluster Audit Committee

Date: 13 August 2023

B-BBEE COMPLIANCE PERFORMANCE INFORMATION

The following table has been completed in accordance with the compliance to the BBEE requirements of the BBEE Act of 2013 and as determined by the Department of Trade, Industry and Competition.

Has the Department applied any relevant Code of Good Practice (B-BBEE Certificate Levels 1 – 8) with regards to the following:		
Criteria	Response Yes / No	Discussion
Determining qualification criteria for the issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law?	Not applicable	Department does not issue licences, concessions or other authorisations in respect of economic activity.
Developing and implementing a preferential procurement policy?	No	1. The Preferential Procurement Regulations, 2022 (PPR 2022) was promulgated on 4 November 2022 with an effective date of 16 January 2023. 2. Cabinet approved an interim strategy for WCG via Cabinet Minute 544 of 2022, in noting that organs of state may develop their own preferential procurement policies in terms of section 5 of the PPPFA, and in providing executive guidance on the WCG's way forward in response to the PPR 2022: i. In order to ensure stability in the current procurement system post 16 January 2023, the WCG will in the interim continue to utilise the preferential procurement goals contemplated in section 2 (1)(d) of the PPPFA and that the relevant B-BBEE scorecards be accepted as supporting evidence to claim preference points, until the appropriate executive policy directives and technical reviews have been concluded; ii. A technical review be undertaken, on the current procurement system in defining a legal way forward in the province that focuses on value for money, appropriate redress and reforming the current procurement system over time, informed by policy directives from executive; iii. Cabinet be regularly kept abreast on any developments and progress on position papers and the review. This should include developments in municipal procurement policies as well

		as approaches to local content and localization. 3. The departmental Accounting Officer System by means of Departmental Circulars was updated in terms of the interim strategy for WCG to give effect to preferential procurement regulations.
Determining qualification criteria for the sale of state-owned enterprises?	N/A	This is not applicable as there has not been such a sale.
Developing criteria for entering into partnerships with the private sector?	Not applicable	The Department did not enter into any partnerships with the private sector.
Determining criteria for the awarding of incentives, grants and investment schemes in support of Broad Based Black Economic Empowerment?	No	The Department did not offer incentives, grants and investment schemes in support of Black Economic Empowerment.

PART D: PEOPLE MANAGEMENT



Zanele JamJam
Malmesbury
Recreational Node Project

1. INTRODUCTION

Our contribution to the work of the Western Cape Government is as a result of the persistent, and often selfless, efforts of the people within the Department of Environmental Affairs and Development Planning.

To consistently deliver improved services to the citizens of the Western Cape Province is not without its own challenges. The modern people management landscape has shifted significantly in recent years and requires complex navigation between a range of competing variables.

Apart from the fact that these variables are inter-dependent and inter-related, they are also governed by stringent rules and regulations, which prove difficult when retention and attraction initiatives are explored.

These include balancing service delivery imperatives, the attraction and retention of critical and scarce skills, workforce empowerment, career management, succession planning, employment equity and creating an enabling environment where employees are able to thrive. Further to this, the Department is required to function within an austere environment, which demands that managers consider the impact of “doing more with less”.

Despite the changing patterns and demands impacting on the modern workplace, the consistent hard work of our people, has resulted in remarkable achievements and service delivery improvement during the year under review.

2. STATUS OF PEOPLE MANAGEMENT AT THE DEPARTMENT

2.1. Departmental Workforce Planning Priorities

- The role of Workforce Planning is important to ensure that the Department has the required number of people with the requisite skills, knowledge and attitudes to perform the work. Through this process the Department annually assesses its workforce profile against current and future organisational needs.
- The aim of this assessment is to identify to what extent the current workforce profile addresses the key people management outcomes that would guarantee service continuity and value.
- The Workforce Plan 2020 - 2025 is therefore aligned to the vision and mission of the Department's Strategic Plan.
- The assumptions on which this Workforce Plan was developed are still valid and the Action Plan was reviewed to ensure that strategies would achieve its outcomes.
- The Workforce Plan was reviewed to ensure that the Workforce Strategies and key activities remained valid and appropriate for the 2022/23 financial year.

2.2. Employee Performance Management

The purpose of Performance Management is to increase performance by encouraging individual commitment, accountability and motivation.

All employees are required to complete a performance agreement before 31 May each year. The agreement is in essence a contract between the employer and the employee containing the projects, programmes, activities, expectations and standards for the required delivery. In order to facilitate a standardised administration process, the Western Cape Government has devised an electronic system, namely PERMIS (Performance Management Information System), that allows for the entire performance management process to be captured, monitored and managed.

The performance management process requires that a mid-year review and an annual assessment is conducted, but that the operational targets and achievements linked to the performance agreement be monitored and communicated on an ongoing basis. In instances where targets or performance expectations are not met, the gaps are addressed through the management of poor performance. In this context, a performance consulting unit has been established within the Department of the Premier (Chief Directorate: People Management Practices) to assist line managers (people managers) in dealing with poor performance. The process is developmental, however, in instances where individuals have been identified as poor performers in terms of the legislative framework, they are required to subject themselves to a developmental plan or alternatively to disciplinary action.

2.3. Employee Wellness

The WCG's transversal Employee Health and Wellness Programme (EHW) follows a holistic approach to employee well-being and is largely preventative in nature, offering both primary and secondary services.

The EHW Programme is monitored in the Department through monthly utilisation reports for primary services (24/7/365 telephonic counselling service, online e-Care service and reporting) and secondary services (face-to-face counselling, trauma and critical incidents, training and targeted intervention, executive coaching, advocacy).

A quarterly report is prepared by the Directorate: Organisational Behaviour within the Department of the Premier that provides a trend analysis of utilisation, risk identification and its impact on productivity. Furthermore, on-going reporting to the Department of Public Service and Administration (DPSA) is a requirement and such reporting focuses on four areas namely, HIV/ AIDS, Health and Productivity, Wellness Management and SHERQ (Safety Health Environment Risk and Quality).

2.4. People Management Monitoring

The Department, in collaboration with the Department of the Premier monitors the implementation of a range of people management compliance indicators. The monthly Barometer Fact File, that is developed by the Chief-Directorate: People Management Practices within the Department of the Premier, provides the Department with regular updates on the workforce profile and other relevant people management data to enable decision-making. The indicators include, inter alia, staff establishment information, headcount, people expenditure projections, sick leave patterns, the monetary value of annual leave credits, discipline cases, vacancy rates, staff movement, employment equity, etc.

3. PEOPLE MANAGEMENT OVERSIGHT STATISTICS

3.1. Personnel related expenditure

The following tables summarise final audited expenditure by programme (Table 3.1.1) and by salary bands (Table 3.1.2).

The figures in Table 3.1.1 are drawn from the Basic Accounting System and the figures in Table 3.1.2 are drawn from the PERSAL [Personnel Salary] system. The two systems are not synchronised for salary refunds in respect of staff appointments and resignations and/or transfers to and from other departments. This means there may be a difference in the total expenditure reflected on these systems.

The key in the table below is a description of the Programmes within the Department. Programmes will be referred to by their number from this point forward.

Programme	Programme Designation
Programme 1	Administration
Programme 2	Environmental Policy, Planning and Coordination
Programme 3	Compliance and Enforcement
Programme 4	Environmental Quality Management
Programme 5	Biodiversity Management
Programme 6*	Environmental Empowerment Services
Programme 7	Development Planning

*Note: The Programme only caters for operational expenses whilst the personnel costs are carried against the relevant programmes as per the Departmental establishment.

Table 3.1.1: Personnel expenditure by programme, 2022/23

Programme	Total Expenditure (R'000)	Personnel Expenditure (R'000)	Training Expenditure (R'000)	Goods & Services (R'000)	Personnel expenditure as a % of total expenditure	Average personnel expenditure per employee (R'000)	Number of Employees remunerated
Programme 1	69 245	57 524	116	6 938	83,1	543	106
Programme 2	21 750	20 069	32	1 299	92,3	590	34
Programme 3	33 488	26 718	47	6 298	79,8	581	46
Programme 4	82 965	75 708	164	5 106	91,3	606	125
Programme 5	305 669	11 800	-	710	3,9	694	17
Programme 6	474	-	-	474	-	-	-
Programme 7	57 076	49 831	26	1 014	87,3	845	59
Total	570 667	241 650	385	21 839	42,3	624	387

Note: The number of employees refers to all individuals remunerated during the reporting period, including interns (i.e., Premier's Advancement of Youth [PAY], graduate and student) and the Provincial Minister. The number of employees is cumulative and not a snapshot as at a specific date. The figures in Table 3.1.1 are drawn from the Basic Accounting System and the figures in Table 3.1.2 are drawn from the PERSAL [Personnel Salary] system. The two systems are not synchronised for salary refunds in respect of staff appointments and resignations and/or transfers to and from other departments. This means there may be a difference in the total expenditure reflected on these systems.

Table 3.1.2: Personnel expenditure by salary band, 2022/23

Salary bands	Personnel Expenditure (R'000)	% of total personnel expenditure	Average personnel expenditure per employee (R'000)	Number of Employees
Interns	339	0,1	57	6
Lower skilled (Levels 1-2)	902	0,4	226	4
Skilled (Levels 3-5)	10 655	4,4	273	39
Highly skilled production (Levels 6-8)	43 700	18,1	416	105
Highly skilled supervision (Levels 9-12)	156 396	64,6	759	206
Senior management (Levels 13-16)	29 949	12,4	1 152	26
Total	241 941	100,0	627	386

Note: The number of employees refers to all individuals remunerated during the reporting period, including interns (i.e., PAY, graduate and student), but excluding the Provincial Minister. The number of employees is cumulative and not a snapshot as at a specific date. The figures in Table 3.1.1 are drawn from the Basic Accounting System and the figures in Table 3.1.2 are drawn from the PERSAL [Personnel Salary] system. The two systems are not synchronised for salary refunds in respect of staff appointments and resignations and/or transfers to and from other departments. This means there may be a difference in the total expenditure reflected on these systems.

The following tables provide a summary per programme (Table 3.1.3) and salary bands (Table 3.1.4), of expenditure incurred as a result of salaries, overtime, housing allowance and medical assistance. These tables do not make provision for other expenditure such as Pensions, Performance Bonus and other allowances, which make up the total personnel expenditure. In each case, the table provides an indication of the percentage of the personnel expenditure that was used for these items.

Table 3.1.3: Salaries, Overtime, Housing Allowance and Medical Assistance by programme, 2022/23

Programme	Salaries		Overtime		Housing allowance		Medical assistance	
	Amount (R'000)	Salaries as a % of personnel expenditure	Amount (R'000)	Overtime as a % of personnel expenditure	Amount (R'000)	Housing allowance as a % of personnel expenditure	Amount (R'000)	Medical assistance as a % of personnel expenditure
Programme 1	38 135	15,8	28	0,0	1 240	0,5	2 781	1,1
Programme 2	14 406	6,0	-	-	323	0,1	884	0,4
Programme 3	19 032	7,9	33	0,0	517	0,2	1 214	0,5
Programme 4	53 887	22,3	-	-	1 412	0,6	3 293	1,4
Programme 5	8 247	3,4	7	0,0	220	0,1	606	0,3
Programme 7	34 562	14,3	-	-	253	0,1	669	0,3
Total	168 269	69,5	67	0,0	3 965	1,6	9 447	3,9

Note: The figures in Table 3.1.3 and 3.1.4 are drawn from the PERSAL [Personnel Salary] system and not the Basic Accounting System. The two systems are not synchronised for salary refunds in respect of staff appointments and resignations

and/or transfers to and from other departments. This means there may be a difference in the expenditure reflected on these systems, e.g., Salaries, Overtime, Housing and Medical Assistance. Further to this, the table above does not make provision for other expenditure such as Pensions, Performance Bonus and other allowances, which make up the total personnel expenditure. The above expenditure reflects for all individuals remunerated during the reporting period, including interns (PAY, graduate and student), but excluding the Provincial Minister.

Table 3.1.4: Salaries, Overtime, Housing Allowance and Medical Assistance by salary band, 2022/23

Salary Bands	Salaries		Overtime		Housing allowance		Medical assistance	
	Amount (R'000)	Salaries as a % of personnel expenditure	Amount (R'000)	Overtime as a % of personnel expenditure	Amount (R'000)	Housing allowance as a % of personnel expenditure	Amount (R'000)	Medical assistance as a % of personnel expenditure
Interns	326	0,1	-	-	-	-	-	-
Lower skilled (Levels 1-2)	463	0,2	-	-	75	0,0	123	0,1
Skilled (Levels 3-5)	6 970	2,9	23	0,0	497	0,2	942	0,4
Highly skilled production (Levels 6-8)	30 150	12,5	3	0,0	1 525	0,6	3 399	1,4
Highly skilled supervision (Levels 9-12)	110 357	45,6	41	0,0	1 868	0,8	4 698	1,9
Senior management (Levels 13-16)	20 004	8,3	-	-	-	-	284	0,1
Total	168 269	69,5	67	0,0	3 965	1,6	9 447	3,9

Note: The figures in Table 3.1.3 and 3.1.4 are drawn from the PERSAL [Personnel Salary] system and not the Basic Accounting System. The two systems are not synchronised for salary refunds in respect of staff appointments and resignations and/or transfers to and from other departments. This means there may be a difference in the expenditure reflected on these systems, e.g., Salaries, Overtime, Housing and Medical Assistance. Further to this, the table above does not make provision for other expenditure such as Pensions, Performance Bonus and other allowances, which make up the total personnel expenditure. The above expenditure reflects for all individuals remunerated during the reporting period, including interns (PAY, graduate and student), but excluding the Provincial Minister.

3.2. EMPLOYMENT AND VACANCIES

The following tables summarise the number of active posts on the establishment, the number of employees (excluding interns and the Provincial Minister), and the percentage active vacant posts as at the end of the financial year. This information is presented in terms of three key variables, namely: Programme (Table 3.2.1), Salary Band (Table 3.2.2) and Critical Occupations (Table 3.2.3). All information in this section is provided as a snapshot as at the end of the financial year under review.

Table 3.2.1: Employment and vacancies by programme, as at 31 March 2023

Programme	Number of active posts	Number of posts filled	Vacancy rate %
Programme 1	99	95	4.0
Programme 2	31	29	6.5
Programme 3	41	40	2.4
Programme 4	121	115	5.0
Programme 5	17	17	-
Programme 7	55	54	1.8
Total	364	350	3.8

Note: The number of active posts refers to posts that either are occupied (filled by a warm body) or vacant for which there is funding, and which is actively being recruited for.

Table 3.2.2: Employment and vacancies by salary band, as at 31 March 2023

Salary Band	Number of active posts	Number of posts filled	Vacancy rate %
Lower skilled (Levels 1-2)	4	4	-
Skilled (Levels 3-5)	37	36	2.7
Highly skilled production (Levels 6-8)	105	100	4.8
Highly skilled supervision (Levels 9-12)	195	187	4.1
Senior management (Levels 13-16)	23	23	-
Total	364	350	3.8

Note: The number of active posts refers to posts that either are occupied (filled by a warm body) or vacant for which there is funding, and which is actively being recruited for.

Table 3.2.3: Employment and vacancies by critical occupation, as at 31 March 2023

Critical Occupations	Number of active posts	Number of posts filled	Vacancy rate %
Environmental Officer	141	131	7.1
GIS Technician	5	5	-
Town and Regional Planner	38	38	-
Total	184	174	5.4

Note: Critical occupations - refer to occupations that are critical for service delivery. If these occupations are not present in the department, the function/services will collapse. The number of active posts refers to posts that either are occupied {filled by a warm body} or vacant for which there is funding, and which is actively being recruited for.

3.3. JOB EVALUATION

Job evaluation was introduced as a way of ensuring that work of equal value is remunerated equally. Within a nationally determined framework, executing authorities are required to evaluate each new post in his or her organisation or re-evaluate any post where the post mandate or content has significantly changed. This job evaluation process determines the grading and salary level of a post. It should be understood that Job Evaluation and Staff Performance Management differ in the sense that Job Evaluation refers to the value/weighting of the activities that are associated with the post and Staff Performance Management refers to the review of an individual's performance.

Table 3.3.1 summarises the number of posts that were evaluated during the year under review. The table also provides statistics on the number of posts that were upgraded or downgraded.

Table 3.3.1: Job evaluation, 1 April 2022 to 31 March 2023

Salary Band	Number of active posts as at 31 March 2023	Number of posts evaluated	% of posts evaluated	Posts Upgraded		Posts Downgraded	
				Number	Posts upgraded as a % of total posts	Number	Posts downgraded as a % of total posts
Lower skilled (Levels 1-2)	4	-	-	-	-	-	-
Skilled (Levels 3-5)	37	1	0.3	-	-	-	-
Highly skilled production (Levels 6-8)	105	2	0.5	-	-	-	-
Highly skilled supervision (Levels 9-12)	195	-	-	-	-	-	-
Senior Management Service Band A (Level 13)	17	1	0.3	-	-	-	-
Senior Management Service Band B (Level 14)	5	-	-	-	-	-	-
Senior Management Service Band C (Level 15)	1	-	-	-	-	-	-
Total	364	4	1.1	-	-	-	-

Note: The "Number of posts evaluated" per Salary Band reflects the Final Approved Post Level after Job Evaluation. The number of active posts refers to posts that either are occupied or vacant for which there is funding, and which is actively being recruited for.

Table 3.3.2: Profile of employees whose salary positions were upgraded due to their posts being upgraded, 1 April 2022 to 31 March 2023

Beneficiaries	African	Coloured	Indian	White	Total
None					

Table 3.3.3 summarises the number of cases where salary levels exceeded the grade determined by job evaluation or where higher notches awarded to employees within a particular salary level. Each salary level consists of 12 notches.

Table 3.3.3: Employees who have been granted higher salaries than those determined by job evaluation per major occupation, 1 April 2022 to 31 March 2023

Major Occupation	Number of employees	Job evaluation level	Remuneration on a higher salary level	Remuneration on a higher notch of the same salary level	Reason for deviation
None					

Table 3.3.4: Profile of employees who have been granted higher salaries than those determined by job evaluation, 1 April 2022 to 31 March 2023

Beneficiaries	African	Coloured	Indian	White	Total
None					

3.4. EMPLOYMENT CHANGES

Turnover rates provide an indication of trends in the employment profile of the Department during the year under review. The following tables provide a summary of turnover rates by salary band (Table 3.4.1) and by critical occupation (Table 3.4.2). This section does not include information related to interns.

Table 3.4.1: Annual turnover rates by salary band, 1 April 2022 to 31 March 2023

Salary Band	Number of employees as at 31 March 2022	Turnover rate % 2021/22	Appointments into the Department	Transfers into the Department	Terminations out of the Department	Transfers out of the Department	Turnover rate % 2022/23
Lower skilled (Levels 1-2)	4	-	-	-	-	-	-
Skilled (Levels 3-5)	38	14.0	4	-	4	2	15.8
Highly skilled production (Levels 6-8)	108	8.0	8	-	11	4	13.9
Highly skilled supervision (Levels 9-12)	188	7.9	11	-	12	1	6.9

Senior Management Service Band A (Level 13)	18	5.9	-	-	2	-	11.1
Senior Management Service Band B (Level 14)	5	-	1	-	-	-	-
Senior Management Service Band C (Level 15)	-	100.0	-	-	-	-	-
Total	361	8.6	24	-	29	7	10.0
			24		36		

Note: "Transfers" refer to the lateral movement of employees from one Public Service Department to another (Both Provincially & Nationally). The turnover rate is determined by calculating the total exits as a percentage of the baseline (Number of employees as at 31 March 2021).

Table 3.4.2: Annual turnover rates by critical occupation, 1 April 2022 to 31 March 2023

Critical Occupation	Number of employees as at 31 March 2022	Turnover rate % 2021/22	Appointments into the Department	Transfers into the Department	Terminations out of the Department	Transfers out of the Department	Turnover rate % 2022/23
Environmental Officer	133	9.9	12	-	13	1	10.5
GIS Technician	7	-	-	-	2	-	28.6
Town and Regional Planner	38	2.9	3	-	3	-	7.9
Total	178	8.2	15	-	18	1	10.7
			15		19		

Note: "Transfers" refer to the lateral movement of employees from one Public Service Department to another (Both Provincially & Nationally). The turnover rate is determined by calculating the total exits as a percentage of the baseline (Number of employees as at 31 March 2021).

Table 3.4.3: Staff leaving the employ of the Department, 1 April 2022 to 31 March 2023

Exit Category	Number	% of total exits	Number of exits as a % of total number of employees as at 31 March 2022
Death	-	-	-
Resignation *	15	41.7	4.2
Expiry of contract	9	25.0	2.5
Dismissal – operational changes	-	-	-
Dismissal – misconduct	2	5.6	0.6
Dismissal – inefficiency	-	-	-
Discharged due to ill-health	-	-	-
Retirement	3	8.3	0.8
Employee initiated severance package	-	-	-

Transfers to Statutory Body	-	-	-
Transfers to other Public Service departments	5	13.9	1.4
Promotion to another WCG Department	2	5.6	0.6
Total	36	100.0	10.0

Note: Table 3.4.3 identifies the various exit categories for those staff members who have left the employ of the Department.
 * Resignations are further discussed in tables 3.4.4 and 3.4.5.

Table 3.4.4: Reasons why staff resigned, 1 April 2022 to 31 March 2023

Resignation Reasons	Number	% of total resignations
Full-time studies	1	6.7
Need for career change	3	20.0
No reason provided	11	73.3
Total	15	100.0

Table 3.4.5: Different age groups of staff who resigned, 1 April 2022 to 31 March 2023

Age group	Number	% of total resignations
Ages <19	-	-
Ages 20 to 24	-	-
Ages 25 to 29	-	-
Ages 30 to 34	6	40.0
Ages 35 to 39	4	26.7
Ages 40 to 44	3	20.0
Ages 45 to 49	-	-
Ages 50 to 54	1	6.7
Ages 55 to 59	-	-
Ages 60 to 64	1	6.7
Ages 65 >	-	-
Total	15	100.0

Table 3.4.6 Employee initiated severance packages.

Total number of employee-initiated severance packages offered in 2021/22	None
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Table 3.4.7: Promotions by salary band, 1 April 2022 to 31 March 2023

Salary Band	Number of Employees as at 31 March 2022	Promotions to another salary level	Promotions as a % of total employees	Progressions to another notch within a salary level	Notch progressions as a % of total employees
Lower skilled (Levels 1-2)	4	-	-	3	75.0
Skilled (Levels 3-5)	38	1	2.6	24	63.2
Highly skilled production (Levels 6-8)	108	-	-	66	61.1
Highly skilled supervision (Levels 9-12)	188	4	2.1	131	69.7
Senior management (Levels 13-16)	23	1	4.3	14	60.9
Total	361	6	1.7	238	65.9

Note: Promotions refer to the total number of employees who have advanced to a higher post level within the Department by applying and being successful for an advertised post through the recruitment and selection process. The information reflects the salary level of an employee after he/she was promoted. Employees who do not qualify for notch progressions are not included.

Table 3.4.8: Promotions by critical occupation, 1 April 2021 to 31 March 2022

	Number of Employees as at 31 March 2022	Promotions to another salary level	Promotions as a % of total employees in critical occupations	Progressions to another notch within a critical occupation	Notch progressions as a % of total employees in critical occupations
Environmental Officer	133	3	2.3	90	67.7
GIS Technician	7	-	-	5	71.4
Town and Regional Planner	38	-	-	25	65.8
Total	178	3	1.7	120	67.4

Note: Promotions refer to the total number of employees who have advanced to a higher post level within the Department by applying and being successful for an advertised post through the recruitment and selection process. The information reflects the salary level of an employee after he/she was promoted. Employees who do not qualify for notch progressions are not included.

3.5 EMPLOYMENT EQUITY

Table 3.5.1: Total number of employees (including employees with disabilities) in each of the following occupational levels, as at 31 March 2023

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management (Levels 15-16)	-	-	-	1	-	-	-	-	-	-	1
Senior management (Levels 13-14)	1	7	2	3	1	1	-	6	1	-	22
Professionally qualified and experienced specialists and mid-management (Levels 9-12)	14	42	6	33	14	51	1	32	1	1	195
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents (Levels 6-8)	8	10	-	1	18	45	2	9	-	-	93
Semi-skilled and discretionary decision making (Levels 3-5)	2	14	-	1	3	14	-	1	-	-	35
Unskilled and defined decision making (Levels 1-2)	-	1	-	-	-	3	-	-	-	-	4
Total	25	74	8	39	36	114	3	48	2	1	350
Temporary employees	-	-	-	-	-	-	-	-	-	-	-
Grand total	25	74	8	39	36	114	3	48	2	1	350

A = African; C = Coloured; I = Indian; W = White.

Note: The figures reflected per occupational levels include all permanent, part-time and contract employees, but exclude interns. Furthermore, the information is presented by salary level and not post level.

For the number of employees with disabilities, refer to Table 3.5.2.

Table 3.5.2: Total number of employees (with disabilities only) in each of the following occupational levels, as at 31 March 2023

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management (Levels 15-16)	-	-	-	-	-	-	-	-	-	-	-
Senior management (Levels 13-14)	-	-	-	-	-	-	-	-	-	-	-
Professionally qualified and experienced specialists and mid-management (Levels 9-12)	-	1	1	2	-	1	-	3	-	-	8
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents (Levels 6-8)	-	1	-	-	-	1	-	-	-	-	2
Semi-skilled and discretionary decision making (Levels 3-5)	-	-	-	-	-	-	-	-	-	-	-
Unskilled and defined decision making (Levels 1-2)	-	-	-	-	-	-	-	-	-	-	-
Total	-	2	1	2	-	2	-	3	-	-	10
Temporary employees	-	-	-	-	-	-	-	-	-	-	-
Grand total	-	2	1	2	-	2	-	3	-	-	10

A = African; C = Coloured; I = Indian; W = White.

Note: The figures reflected per occupational level include all permanent, part-time and contract employees, but exclude interns. Furthermore, the information is presented by salary level and not post level.

Table 3.5.3: Recruitment, 1 April 2022 to 31 March 2023

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management (Levels 15-16)	-	-	-	-	-	-	-	-	-	-	-
Senior management (Levels 13-14)	-	-	-	-	1	-	-	-	-	-	1
Professionally qualified and experienced specialists and mid-management (Levels 9-12)	5	-	1	2	2	-	-	1	-	-	11
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents (Levels 6-8)	3	-	-	-	1	3	-	1	-	-	8
Semi-skilled and discretionary decision making (Levels 3-5)	1	2	-	-	-	1	-	-	-	-	4
Unskilled and defined decision making (Levels 1-2)	-	-	-	-	-	-	-	-	-	-	-
Total	9	2	1	2	4	4	-	2	-	-	24
Temporary employees	-	-	-	-	-	-	-	-	-	-	-
Grand total	9	2	1	2	4	4	-	2	-	-	24

A = African; C = Coloured; I = Indian; W = White.

Note: Recruitment refers to the appointment of new employees to the staff establishment of the Department but exclude interns. The totals include transfers from other government departments and / or institutions, as per Table 3.4.1.

Table 3.5.4: Promotions, 1 April 2022 to 31 March 2023

Occupational Levels	Male				Female				Foreign Nationals		Total
Occupational Levels	A	C	I	W	A	C	I	W	Male	Female	
Top management (Levels 15-16)	-	-	-	1	-	-	-	-	-	-	1
Senior management (Levels 13-14)	-	-	-	-	-	-	-	-	-	-	-
Professionally qualified and experienced specialists and mid-management (Levels 9-12)	-	2	-	1	-	1	-	-	-	-	4
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents (Levels 6-8)	-	-	-	-	-	-	-	-	-	-	-
Semi-skilled and discretionary decision making (Levels 3-5)	-	1	-	-	-	-	-	-	-	-	1
Unskilled and defined decision making (Levels 1-2)	-	-	-	-	-	-	-	-	-	-	-
Total	-	3	-	2	-	1	-	-	-	-	6
Temporary employees	-	-	-	-	-	-	-	-	-	-	-
Grand total	-	3	-	2	-	1	-	-	-	-	6

A = African; C = Coloured; I = Indian; W = White.

Note: Promotions refer to the total number of employees who have advanced to a higher post level within the Department, by applying and being successful for an advertised post, through the recruitment and selection process as per Table 3.4.7.

Table 3.5.5: Terminations, 1 April 2022 to 31 March 2023

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management (Levels 15-16)	-	-	-	-	-	-	-	-	-	-	-
Senior management (Levels 13-14)	-	-	-	1	-	-	-	1	-	-	2
Professionally qualified and experienced specialists and mid-management (Levels 9-12)	3	2	-	2	-	2	1	2	-	1	13
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents (Levels 6-8)	4	3	-	1	-	5	-	2	-	-	15
Semi-skilled and discretionary decision making (Levels 3-5)	1	1	-	-	1	2	-	1	-	-	6
Unskilled and defined decision making (Levels 1-2)	-	-	-	-	-	-	-	-	-	-	-
Total	8	6	-	4	1	9	1	6	-	1	36
Temporary employees	-	-	-	-	-	-	-	-	-	-	-
Grand total	8	6	-	4	1	9	1	6	-	1	36

A = African; C = Coloured; I = Indian; W = White.

Note: Terminations refer to those employees (excluding interns) who have left the employ of the Department, including transfers to other departments, as per Table 3.4.1.

Table 3.5.6: Disciplinary actions, 1 April 2022 to 31 March 2023

Disciplinary Actions	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Desertion (Dismissal)	1	1	-	-	-	-	-	-	-	-	2
Total	1	1	-	-	-	-	-	-	-	-	2
Temporary employees	-	-	-	-	-	-	-	-	-	-	-
Grand total	1	1	-	-	-	-	-	-	-	-	2

A = African; C = Coloured; I = Indian; W = White.

Note: The disciplinary actions total refers to formal outcomes only and not headcount. For further information on the outcomes of the disciplinary hearings and the types of misconduct addressed at disciplinary hearings, refer to Tables 3.12.2 and Table 3.12.3.

Table 3.5.7: Skills development, 1 April 2022 to 31 March 2023

Occupational Levels	Male				Female				Total
	A	C	I	W	A	C	I	W	
Top management (Levels 15-16)	-	-	-	-	-	-	-	-	-
Senior management (Levels 13-14)	1	2	2	1	-	1	-	6	13
Professionally qualified and experienced specialists and mid-management (Levels 9-12)	11	23	2	15	11	29	3	22	116
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents (Levels 6-8)	7	6	-	1	14	25	2	6	61
Semi-skilled and discretionary decision making (Levels 3-5)	2	6	-	1	4	6	-	-	19
Unskilled and defined decision making (Levels 1-2)	-	1	-	-	-	2	-	-	3
Total	21	38	4	18	29	63	5	34	212
Temporary employees	-	-	-	-	-	-	-	-	-
Grand total	21	38	4	18	29	63	5	34	212

A = African; C = Coloured; I = Indian; W = White.

Note: The above table refers to the total number of employees who have received training during the period under review, and not the number of training interventions attended by individuals. For further information on the actual training provided, refer to Table 3.13.2.

3.6 SIGNING OF PERFORMANCE AGREEMENTS BY SMS MEMBERS

Table 3.6.1: Signing of Performance Agreements by SMS Members, as at 31 May 2022

SMS Post Level	Number of active SMS posts per level	Number of SMS members per level	Number of signed Performance Agreements per level	Signed Performance Agreements as % of SMS members per level
Head of Department	1	1	1	100.0
Salary Level 14	4	4	4	100.0
Salary Level 13	18	18	18	100.0
Total	23	23	23	100.0

Note: This table refers to employees who are appointed as Senior Management Service (SMS) members only. Employees who are remunerated higher than a SL12, but who are not SMS members have been excluded. Furthermore, the table reflects post salary details and not the individual salary level of employees. The allocation of performance-related rewards (cash bonus) for SMS members is dealt with later in the report. Refer to Table 3.8.5 in this regard.

Table 3.6.2: Reasons for not having concluded Performance Agreements with all SMS Members on 31 May 2022

Reasons for not concluding Performance Agreements with all SMS
None

Table 3.6.3: Disciplinary steps taken against SMS Members for not having concluded Performance Agreements on 31 May 2022

Disciplinary steps taken against SMS Members for not having concluded Performance Agreements
None required

3.7 FILLING OF SMS POSTS

The tables in this section provide information on employment and vacancies as it relates to members of the SMS by salary level. It also provides information of advertising and the filling of SMS posts, reasons for not complying with prescribed timeframes and disciplinary steps taken in cases of non-compliance.

Table 3.7.1: SMS posts information, as at 30 September 2022

SMS Level	Number of active SMS posts per level	Number of SMS posts filled per level	% of SMS posts filled per level	Number of SMS posts vacant per level	% of SMS posts vacant per level
Head of Department	1	1	100.0	-	-
Salary Level 14	4	4	100.0	-	-
Salary Level 13	17	17	100.0	-	-
Total	22	22	100.0	-	-

Note: This table refers to employees who are appointed as Senior Management Service (SMS) members only. Employees who are remunerated higher than a SL12, but who are not SMS members have been excluded. The number of active posts refers to posts that either are occupied {filled by a warm body} or vacant for which there is funding, and which is actively being recruited for.

Table 3.7.2: SMS posts information, as at 31 March 2023

SMS Level	Number of active SMS posts per level	Number of SMS posts filled per level	% of SMS posts filled per level	Number of SMS posts vacant per level	% of SMS posts vacant per level
Head of Department	1	1	100.0	-	-
Salary Level 14	5	5	100.0	-	-
Salary Level 13	17	17	100.0	-	-
Total	23	23	100.0	-	-

Note: This table refers to employees who are appointed as Senior Management Service (SMS) members only. Employees who are remunerated higher than a SL12, but who are not SMS members have been excluded. The number of active posts refers to posts that either are occupied {filled by a warm body} or vacant for which there is funding, and which is actively being recruited for.

Table 3.7.3: Advertising and Filling of SMS posts, as at 31 March 2023

SMS Level	Advertising	Filling of Posts	
	Number of vacancies per level advertised in 6 months of becoming vacant	Number of vacancies per level filled in 6 months after becoming vacant	Number of vacancies per level not filled in 6 months but filled in 12 months
Head of Department	-	1	-
Salary Level 14	1	1	-
Salary Level 13	1	-	-
Total	2	2	-

Note: The Head of Department post filled was advertised in the 2021/22 financial year.

Table 3.7.4: Reasons for not having complied with the filling of active vacant SMS posts – Advertised within 6 months and filled within 12 months after becoming vacant.

SMS Level	Reasons for non-compliance
Head of Department	N/A
Salary Level 14	N/A
Salary Level 13	N/A

Table 3.7.5: Disciplinary steps taken for not complying with the prescribed timeframes for filling SMS posts within 12 months

Disciplinary steps taken for not complying with the prescribed timeframes for filling SMS posts
None

3.8 EMPLOYEE PERFORMANCE

The following tables note the number of staff by salary band (table 3.8.1) and staff within critical occupations (3.8.2) who received a notch progression as a result of performance management. (i.e., qualifying employees who scored between 3 – 4 in their performance ratings).

Table 3.8.1: Notch progressions by salary band, 1 April 2022 to 31 March 2023

Salary Band	Employees as at 31 March 2022	Progressions to another notch within a salary level	Notch progressions as a % of employees by salary band
Lower skilled (Levels 1-2)	4	3	75.0
Skilled (Levels 3-5)	38	24	63.2
Highly skilled production (Levels 6-8)	108	66	61.1
Highly skilled supervision (Levels 9-12)	188	131	69.7
Senior management (Levels 13-16)	23	14	60.9
Total	361	238	65.9

Table 3.8.2: Notch progressions by critical occupation, 1 April 2022 to 31 March 2023

Critical Occupations	Employees as at 31 March 2022	Progressions to another notch within a salary level	Notch progressions as a % of employees by salary band
Environmental Officer	133	90	67.7
GIS Technician	7	5	71.4
Town and Regional Planner	38	25	65.8
Total	178	120	67.4

Table 3.8.3: Performance rewards by race, gender, and disability, 1 April 2022 to 31 March 2023

Race and Gender	Beneficiary Profile			Cost	
	Number of beneficiaries	Total number of employees in group as at 31 March 2022	% of total within group	Cost (R'000)	Average cost per beneficiary (R)
African	-	62	-	-	-
Male	-	28	-	-	-
Female	-	34	-	-	-
Coloured	-	193	-	-	-
Male	-	76	-	-	-
Female	-	117	-	-	-
Indian	-	10	-	-	-
Male	-	6	-	-	-
Female	-	4	-	-	-
White	-	87	-	-	-
Male	-	39	-	-	-
Female	-	48	-	-	-
Employees with a disability	-	9	-	-	-
Total	-	361	-	-	-

Table 3.8.4: Performance rewards (cash bonus), by salary bands for personnel below Senior Management Service level, 1 April 2022 to 31 March 2023

Salary Bands	Beneficiary Profile			Cost		
	Number of beneficiaries	Total number of employees in group as at 31 March 2022	% of total within salary bands	Cost (R'000)	Average cost per beneficiary (R)	Cost as a % of the total personnel expenditure
Lower skilled (Levels 1-2)	-	4	-	-	-	-
Skilled (Levels 3-5)	-	38	-	-	-	-
Highly skilled production (Levels 6-8)	-	108	-	-	-	-
Highly skilled supervision (Levels 9-12)	-	188	-	-	-	-
Total	-	338	-	-	-	-

Table 3.8.5: Performance rewards (cash bonus), by salary band, for Senior Management Service level, 1 April 2022 to 31 March 2023

Salary Bands	Beneficiary Profile			Cost		
	Number of beneficiaries	Total number of employees in group as at 31 March 2022	% of total within salary bands	Cost (R'000)	Average cost per beneficiary (R)	Cost as a % of the total personnel expenditure
Senior Management Service Band A (Level 13)	-	18	-	-	-	-
Senior Management Service Band B (Level 14)	-	5	-	-	-	-
Senior Management Service Band C (Level 15)	-	0	-	-	-	-
Total	-	23	-	-	-	-

Table 3.8.6: Performance rewards (cash bonus) by critical occupation, 1 April 2022 to 31 March 2023

Critical Occupation	Beneficiary Profile			Cost		
	Number of beneficiaries	Total number of employees in group as at 31 March 2022	% of total within salary bands	Cost (R'000)	Average cost per beneficiary (R)	Cost as a % of total personnel expenditure
Environmental Officer	-	133	-	-	-	-
GIS Technician	-	7	-	-	-	-
Town and Regional Planner	-	38	-	-	-	-
Total	-	178	-	-	-	-

3.9 FOREIGN WORKERS

The tables below summarise the employment of foreign nationals in the Department in terms of salary bands (Table 3.9.1) and major occupation (Table 3.9.2). The tables also summarise changes in the total number of foreign workers in each salary band and by each major occupation.

Table 3.9.1: Foreign Workers by salary band, 1 April 2022 to 31 March 2023

Salary Band	1 April 2022		31 March 2023		Change	
	Number	% of total	Number	% of total	Number	% change
Lower skilled (Levels 1-2)	-	-	-	-	-	-
Skilled (Levels 3-5)	-	-	-	-	-	-
Highly skilled production (Levels 6-8)	-	-	-	-	-	-
Highly skilled supervision (Levels 9-12)	3	75.0	2	66.7	-1	-33.3
Senior management (Levels 13-16)	1	25.0	1	33.3	-	-
Total	4	100.0	3	100.0	-1	-25.0

Note: The table above includes non-citizens with permanent residence in the Republic of South Africa.

Table 3.9.2: Foreign Workers by major occupation, 1 April 2022 to 31 March 2023

Major Occupation	1 April 2022		31 March 2023		Change	
	Number	% of total	Number	% of total	Number	% change
Director	1	25.0	1	33.3	-	-
Environmental Officer (Specialised Production)	2	50.0	1	33.3	-1	-50.0
Chief Town and Regional Planner	1	25.0	1	33.3	-	-
Total	4	100.0	3	100.0	-1	-25.0

Note: The table above includes non-citizens with permanent residence in the Republic of South Africa.

3.10 LEAVE UTILISATION FOR THE PERIOD 1 JANUARY 2022 TO 31 DECEMBER 2022

The following tables provide an indication of the use of sick leave (Table 3.10.1) and incapacity leave (Table 3.10.2). In both instances, the estimated cost of the leave is also provided.

Table 3.10.1: Sick leave, 1 January 2022 to 31 December 2022

Salary Band	Total days	% days with medical certification	Number of Employees using sick leave	Total number of employees	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Interns	6	16,7	3	3	100,0	2	2
Lower skilled (Levels 1-2)	35	91,4	3	4	75,0	12	15
Skilled (Levels 3-5)	414	89,9	31	43	72,1	13	310
Highly skilled production (Levels 6-8)	636	82,1	74	106	69,8	9	747
Highly skilled supervision (Levels 9-12)	990	81,2	152	206	73,8	7	2 040
Senior management (Levels 13-16)	51	92,2	11	25	44,0	5	167
Total	2 132	83,4	274	387	70,8	8	3 281

Note: The leave dispensation as determined in the "Leave Determination", read with the applicable collective agreements, provides for normal sick leave of 36 working days in a sick leave cycle of three years. The three-year sick leave cycle started in January 2022 and ends in December 2024. The information in each case reflects the totals excluding incapacity leave taken by employees. For an indication of incapacity leave taken, refer to Table 3.10.2.

Table 3.10.2: Incapacity leave, 1 January 2022 to 31 December 2022

Salary Band	Total days	% days with medical certification	Number of Employees using incapacity leave	Total number of employees	% of total employees using incapacity leave	Average days per employee	Estimated Cost (R'000)
Interns	-	-	-	3	-	-	-
Lower skilled (Levels 1-2)	-	-	-	4	-	-	-
Skilled (Levels 3-5)	84	100,0	1	43	2,3	84	65
Highly skilled production (Levels 6-8)	16	100,0	1	106	0,9	16	19
Highly skilled supervision (Levels 9-12)	41	100,0	1	206	0,5	41	68

Senior management (Levels 13-16)	-	-	-	25	-	-	-
Total	141	100,0	3	387	0,8	47	152

Note: The leave dispensation as determined in the "Leave Determination", read with the applicable collective agreements, provides for normal sick leave of 36 working days in a sick leave cycle of three years. If an employee has exhausted his or her normal sick leave, the employer must conduct an investigation into the nature and extent of the employee's incapacity. Such investigations must be carried out in accordance with item 10(1) of Schedule 8 of the Labour Relations Act (LRA).

Incapacity leave is not an unlimited amount of additional sick leave days at an employee's disposal. Incapacity leave is additional sick leave granted conditionally at the employer's discretion, as provided for in the Leave Determination and Policy on Incapacity Leave and Ill-Health Retirement (PILIR).

Table 3.10.3 summarises the utilisation of annual leave. The wage agreement concluded with trade unions in the Public Service Coordinating Bargaining Council (PSCBC) in 2000 requires management of annual leave to prevent high levels of accrued leave having to be paid at the time of termination of service.

Table 3.10.3: Annual Leave, 1 January 2022 to 31 December 2022

Salary Band	Total days taken	Total number employees using annual leave	Average number of days taken per employee
Interns	48	5	10
Lower skilled (Levels 1-2)	121	4	30
Skilled (Levels 3-5)	937	40	23
Highly skilled production (Levels 6-8)	2 373	101	23
Highly skilled supervision (Levels 9-12)	4 942	201	25
Senior management (Levels 13-16)	539	23	23
Total	8 960	374	24

Table 3.10.4: Capped leave, 1 January 2022 to 31 December 2022

Salary Band	Total capped leave available as at 31 Dec 2021	Total days of capped leave taken	Number of employees using capped leave	Average number of days taken per employee	Number of employees with capped leave as at 31 Dec 2022	Total capped leave available as at 31 Dec 2022
Lower skilled (Levels 1-2)	-	-	-	-	-	-
Skilled (Levels 3-5)	32,57	-	-	-	3	32,57
Highly skilled production (Levels 6-8)	131,73	-	-	-	6	131,73
Highly skilled supervision (Levels 9-12)	401,68	-	-	-	19	401,68
Senior management (Levels 13-16)	147,46	15,50	1	15,50	5	131,96
Total	713,44	15,50	1	15,50	33	697,94

Note: It is possible for the total number of capped leave days to increase as employees who were promoted or transferred into the Department, retain their capped leave credits, which form part of that specific salary band and ultimately the departmental total.

Table 3.10.5: Leave pay-outs, 1 April 2022 to 31 March 2023

Reason	Total Amount (R'000)	Number of Employees	Average payment per employee
Leave pay-outs during 2022/23 due to non-utilisation of leave for the previous cycle	-	-	-
Capped leave pay-outs on termination of service	58	1	58 170
Current leave pay-outs on termination of service	463	24	19 311

3.11 HEALTH PROMOTION PROGRAMMES, INCLUDING HIV AND AIDS

Table 3.11.1: Steps taken to reduce the risk of occupational exposure, 1 April 2022 to 31 March 2023

Units/categories of employees identified to be at high risk of contracting HIV & related diseases (if any)	Key steps taken to reduce the risk
The nature of the Department's work does not expose employees to increased risk of contracting HIV & AIDS. Despite the very low occupational risk, all employees have been targeted at all levels within the Department.	Employee Health and Wellness Services are rendered to all employees in need and include the following: - Wellness screenings for employees to know their HIV status; - Condom distribution; - Information, Communication and Education Campaigns; - Psycho-social development interventions; and - Counselling

Table 3.11.2: Details of Health Promotion including HIV & AIDS Programmes, 1 April 2022 to 31 March 2023

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2016? If so, provide her/his name and position.	✓		Ms Letitia Isaacs, Director (Acting): Organisational Behaviour (Department of the Premier)
2. Does the department have a dedicated unit, or has it designated specific staff members to promote the health and well-being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this Purpose.	✓		The Department of the Premier provides a transversal service to eleven (11) WCG client departments, including the Department of Environmental Affairs and Development Planning. A designated Employee Health and Wellness unit within the Directorate Organisational Behaviour and the Chief Directorate Organisation Development serves to promote the health and well-being of employees in the eleven (11) client departments. The unit consists of a Deputy Director, three (3) Assistant Directors, and two (2) EHW Practitioners.

Question	Yes	No	Details, if yes
			The annual budget was R 3 261 000.
3. Has the department introduced an Employee Assistance or Health Promotion Programme for employees? If so, indicate the key elements/services of this Programme.	✓		The Department of the Premier has entered into a service level agreement with Metropolitan Health (external service provider) to render an Employee Health and Wellness Service to eleven (11) provincial departments. The following interventions were conducted: Counselling; Trauma debriefing and awareness; Managerial Consultations; Psycho-social development Interventions; Information, Communication and Education; Coaching; Group Therapy; Reasonable Accommodation. These interventions are based on trends reflected in the quarterly reports and implemented to address employee or departmental needs. Information on how to access the Employee Health and Wellness (EHW) Programme was distributed online.
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter 1 of the Public Service Regulations, 2016? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	✓		The Provincial Employee Health and Wellness Steering Committee has been established with members nominated by each department. The Department is represented by Mariana Kroese.
5. Has the department reviewed its employment policies and practices to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	✓		The Transversal Management Framework for Employee Health and Wellness Programmes in the Western Cape Government is in effect and was adopted by the Co-ordinating Chamber of the PSCBC for the Western Cape Province in December 2016. In this regard, all employment policies make provision for fair practices, regardless of the HIV status of staff or applicants. Workplace practices are constantly monitored to ensure policy compliance and fairness. Under the EHW banner, four EHW Policies were approved which includes HIV & AIDS and TB Management that responds to the prevention of discrimination against employees affected and infected by HIV & AIDS and TB in the workplace. Further to this, the Department of Health, that is the lead department for HIV & AIDS, has approved the Transversal HIV and AIDS/STI Workplace Policy and Programme that is applicable to all departments of the Western Cape

Question	Yes	No	Details, if yes
			Government. The document is in line with the four pillars of the National EHW Strategic Framework 2018 as amended. During the reporting period, the transversal EHW policies including the HIV, AIDS and TB Management Policy have been reviewed against the DPSA policies as well as the National Strategic Plan for HIV, TB and STIs (2023 - 2028) which ensures inclusivity and elimination of discrimination and stigma against employees with HIV.
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.	✓		The Provincial Strategic Plan on HIV & AIDS, STIs and TB has been implemented to mainstream HIV and TB and its gender and rights-based dimensions into the core mandates to reduce HIV-related stigma. The aim is to: ▪ Reduce HIV and TB discrimination in the workplace. This included campaigns against unfair discrimination and empowerment of employees. ▪ Reduce unfair discrimination in access to services. This included ensuring that the Directorate Employee Relations addresses complaints or grievances relating to unfair discrimination and provides training to employees. The Department implemented the following measures to address the stigma and discrimination against those infected or perceived to be infective with HIV: ▪ Education campaigns ▪ commemoration of World AIDS Day ▪ Grievance Process ▪ Interventions such as Diversity Management
7. Does the department encourage its employees to undergo HIV counselling and testing (HCT)? If so, list the results that you have achieved.	✓		HCT SESSIONS: The Department participated in 1 HCT and Wellness screening session. No employees attended.
8. Has the department developed measures/indicators to monitor & evaluate the impact of its health promotion programme? If so, list these measures/indicators.	✓		The EHWP is monitored through Quarterly and Annual reporting and trend analysis can be derived through comparison of departmental utilisation and demographics i.e., age, gender, problem profiling, employee vs. manager utilisation, number of

Question	Yes	No	Details, if yes
			cases. Themes and trends also provide a picture of the risks and impact the EHW issues have on individual and the workplace.

3.12 LABOUR RELATIONS

The following provincial collective agreements were entered into with trade unions for the period under review.

Table 3.12.1: Collective agreements, 1 April 2022 to 31 March 2023

Subject Matter	Date
PSCBC Resolution 2 of 2023 - Agreement on the Salary Adjustment 2023 - 2025	31/3/2023

Table 3.12.2 summarises the outcome of disciplinary hearings conducted within the Department for the period.

Table 3.12.2: Misconduct and disciplinary hearings finalised, 1 April 2022 to 31 March 2023

Outcomes of disciplinary hearings	Number of cases finalised	% of total
Desertion (Dismissal)	2	100.0
Total	2	100.0
Percentage of total employment		0.5

Note: Outcomes of disciplinary hearings refer to formal cases only.

Table 3.12.3: Types of misconduct addressed at disciplinary hearings, 1 April 2022 to 31 March 2023

Type of misconduct	Number	% of total
Abscondment	2	100.0
Total	2	100.0

Table 3.12.4: Grievances lodged, 1 April 2022 to 31 March 2023

Grievances lodged	Number	% of total
Number of grievances resolved	0	0.0
Number of grievances not resolved	2	100.0
Total number of grievances lodged	2	100.0

Note: Grievances lodged refers to cases that were finalised within the reporting period. Grievances **not resolved** refers to cases where the outcome was **not in favour of the aggrieved**. All cases resolved and not resolved have been finalised.

Table 3.12.5: Disputes lodged with Councils, 1 April 2022 to 31 March 2023

Disputes lodged with Councils	Number	% of total
None		

Note: Councils refer to the Public Service Co-ordinating Bargaining Council (PSCBC) and General Public Service Sector Bargaining Council (GPSSBC). When a dispute is "upheld", it means that the Council rules in favour of the aggrieved. When a dispute is "dismissed", it means that the Council rules in favour of the Department.

Table 3.12.6: Strike actions, 1 April 2022 to 31 March 2023

Strike actions	Number
None	

Table 3.12.7: Precautionary suspensions, 1 April 2022 to 31 March 2023

Precautionary suspensions	Number
None	

Note: Precautionary suspensions refer to staff who were suspended with full pay, whilst the case was being investigated.

3.13 SKILLS DEVELOPMENT

This section highlights the efforts of the Department with regard to skills development. Table 3.13.1 reflect the training needs as at the beginning of the period under review, and Table 3.13.2 the actual training provided.

Table 3.13.1: Training needs identified, 1 April 2022 to 31 March 2023

Occupational Categories	Gender	Number of employees as at 1 April 2022	Training needs identified at start of reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers (Salary Band 13 – 16)	Female	8	-	30	-	30
	Male	15	-	25	-	25
Professionals (Salary Band 9 – 12)	Female	97	-	196	-	196
	Male	94	-	182	-	182
Technicians and associate professionals (Salary Band 6 – 8)	Female	77	-	145	-	145
	Male	23	-	49	-	49
Clerks (Salary Band 3 – 5)	Female	20	-	21	-	21
	Male	16	-	20	-	20
Elementary occupations (Salary Band 1 – 2)	Female	3	-	2	-	2
	Male	1	-	-	-	-
Sub Total	Female	205	-	394	-	394
	Male	149	-	276	-	276
Total		354	-	670	-	670
Employees with disabilities	Female	5	-	7	-	7
	Male	4	-	8	-	8

Note: The above table identifies the training needs at the start of the reporting period as per the Department's Workplace Skills Plan.

Table 3.13.2: Training provided, 1 April 2022 to 31 March 2023

Occupational Categories	Gender	Number of employees as at 31 March 2023	Training provided during the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers (Salary Band 13 – 16)	Female	8	-	11	-	11
	Male	15	-	16	-	16
Professionals (Salary Band 9 - 12)	Female	99	-	155	-	155
	Male	96	-	117	-	117
Technicians and associate professionals (Salary Band 6 - 8)	Female	74	-	129	-	129
	Male	19	-	31	-	31
Clerks (Salary Band 3 – 5)	Female	18	-	28	-	28
	Male	17	-	17	-	17
Elementary occupations (Salary Band 1 – 2)	Female	3	-	3	-	3
	Male	1	-	1	-	1
Sub Total	Female	202	-	326	-	326
	Male	148	-	182	-	182
Total		350	-	508	-	508
Employees with disabilities	Female	5	-	10	-	10
	Male	5	-	6	-	6

Note: The above table identifies the number of training courses attended by individuals during the period under review.

3.14 INJURY ON DUTY

This section provides basic information on injuries sustained whilst being on official duty.

Table 3.14.1: Injury on duty, 1 April 2022 to 31 March 2023

Nature of injury on duty	Number	% of total
Required basic medical attention only	-	-
Temporary disablement	1	100.0
Permanent disablement	-	-
Fatal	-	-
Total	1	100.0
Percentage of total employment		0.3

3.15 UTILISATION OF CONSULTANTS

Table 3.15.1: Consultant appointments using appropriated funds

PROGRAMME	CONSULTING FIRM	PROJECT TITLE	NATURE OF THE PROJECT	TOTAL NUMBER OF CONSULTANTS THAT WORKED ON THE PROJECT	DURATION: WORK DAYS/ HOURS	CONTRACT VALUE IN RAND	TOTAL NUMBER OF PROJECTS	TOTAL INDIVIDUAL CONSULTANTS	BBBEE LEVEL
4	EScience Associates (Pty) Ltd	Report on the Valuation of Kluitjieskraal and Romans River Wetlands in the Water Landscape of the Breede River Catchment	Valuation of the Kluitjieskraal and Romansrivier Wetlands in the water landscape in the Breede River Catchment to establish their value including pollution and establish a management plan.	1	40 Days	R 915,800.00	1	6	Level 4
5	Toma-Tomorrow Matters Now	Coordination for investment Ecological Infrastructure Objective and Approaches in the Keurbooms Catchment	Coordinate the drafting of two Group Farm concept plans for Alien Invasive Species monitoring, control, eradication and ecological restoration	1	86 Days	R 473,348.50	1	4	Level 1
6	Toma-Tomorrow Matters Now	Waste Entrepreneurs-Analysis of the Repair and Refurbishment Sector	Situational analysis of the repair and refurbishment sector for household electrical and electronic equipment to develop and strategy and action plan to stimulate the sector leading to job creation and skills development in the waste sector	1	100 Days	R 437,080.00	1	3	Level 1
7	B C Gildenhuys and Associates (Pty) Ltd	A Peer Review of the Western Cape Capital Expenditure Framework Support Programme	External review of the Capital Expenditure Framework Support Programme	1	25 Days	R 145,949.00	1	1	Level 2

PROGRAMME	CONSULTING FIRM	PROJECT TITLE	NATURE OF THE PROJECT	TOTAL NUMBER OF CONSULTANTS THAT WORKED ON THE PROJECT	DURATION: WORK DAYS/ HOURS	CONTRACT VALUE IN RAND	TOTAL NUMBER OF PROJECTS	TOTAL INDIVIDUAL CONSULTANTS	BBBEE LEVEL
7	Centre for Affordable Housing Finance Africa	Housing Market Studies	Undertake housing market studies in identified intermediate cities and larger towns to ensure an evidence-led understanding of the housing markets in these cities/towns	1	N/A	R 688,102.50	1	5	Level 2
1	Department of the Premier	Barrett Values Survey	Survey study to measure organisational culture	N/A	N/A	R 81,741.15		N/A	N/A
1	Department of the Premier	Competency Assessment	Senior Management Services (SMS) competency assessment of candidates	N/A	N/A	R 81,000.00		N/A	N/A

PART E : PFMA COMPLIANCE REPORT



Unequal Scenes
Johnny Miller

1. IRREGULAR, FRUITLESS AND WASTEFUL, UNAUTHORISED EXPENDITURE AND MATERIAL LOSSES

1.1. Irregular expenditure

a) Reconciliation of irregular expenditure

Description	2022/2023	2021/2022
	R'000	R'000
Opening balance	0	184
Less: Irregular expenditure condoned	0	184
Closing balance	0	0

The prior year amounts relate to payments made during 2020/21 in which contracts were awarded to suppliers with a non-compliant tax status at the date of award which was condoned by Provincial Treasury during 2021/22.

b) Details of current and previous year irregular expenditure (under assessment, determination, and investigation)

Description	2022/2023	2021/2022
	R'000	R'000
Irregular expenditure under assessment	31	0
Irregular expenditure under determination	0	0
Irregular expenditure under investigation	0	0
Closing balance	31	0

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Placement of order with incorrect service provider is under assessment to confirm non-compliance and possible fruitless and wasteful expenditure.

2. LATE AND/OR NON-PAYMENT OF SUPPLIERS

Description	Number of invoices	Consolidated Value
		R'000
Valid invoices received	535	22 922
Invoices paid within 30 days or agreed period	533	22 839
Invoices paid after 30 days or agreed period	2	83

Invoices were paid after 30 days due to administrative challenges and human error. Remedial actions were instituted to strengthen internal controls.

3. SUPPLY CHAIN MANAGEMENT

3.1. Procurement by other means

Following several unsuccessful price quotation and competitive procurement events, the Department re-evaluated the market and followed approved limited bidding procurement for the following:

Assessed the Project description	Name of supplier	Type of procurement by other means	Contract number	Value of contract R'000
Assessment and Repair Services for Teledyne Advanced Pollution Instrumentation Analysers	C&M Consulting Engineers (Pty) Ltd	Limited Bid	LB 2/2022	385
Provision of assessment and repair services for ThermoFisher Scientific TEOM Analysers for a period of Thirty-Six (36) Months, as and when required.	Ero Electronic SA (Pty) Ltd	Limited Bid	LB 3/2022	285
Calibration of Sound Level Measurement Equipment	Environmental Instruments	Limited Bid 178	LB 4/2022	50
Provision of online legal resources over a 36-month period	Sabinet Online	Limited Bid	LB 1/2023	269
Provision of online legal resources in Afrikaans and English over a 36-month period	Juta and Company	Limited Bid	LB 2/2023	1 010
Total				1 999

3.2. Contract variations and expansions

Please note that during the 2022/23 financial year, the Department did not expand or vary any contract through increasing or changing the scope of work.

PART F: FINANCIAL STATEMENTS



**WCG: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
VOTE 9**

**ANNUAL FINANCIAL STATEMENTS
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**Report of the Auditor-General to Western Cape Provincial Parliament on Vote
No. 9: Western Cape Department of Environmental Affairs and Development
Planning**

Opinion

1. I have audited the financial statements of the Western Cape Department of Environmental Affairs and Development Planning set out on pages 3 to 54, which comprise the appropriation statement, statement of financial position as at 31 March 2023, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Western Cape Department of Environmental Affairs and Development Planning as at 31 March 2023, and its financial performance and cash flows for the year then ended in accordance with the Modified Cash Standard (MCS) prescribed by the National Treasury and the requirements of the Public Finance Management Act 1 of 1999 (PFMA) and the Division of Revenue Act 5 of 2022 (Dora).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the responsibilities of the auditor-general for the audit of the financial statements section of my report.
4. I am independent of the department in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other matter

6. I draw attention to the matter below. My opinion is not modified in respect of this matter.

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Unaudited supplementary schedules

7. Unaudited supplementary schedules - the supplementary information set out in pages 55 – 63 does not form part of the financial statements and is presented as additional information. I have not audited these schedules and, accordingly, I do not express an opinion on them.

National Treasury Instruction Note No. 4 of 2022-23: PFMA Compliance and Reporting Framework

8. On 23 December 2022 National Treasury issued Instruction Note No. 4: PFMA Compliance and Reporting Framework of 2022-23 in terms of section 76(1)(b), (e) and (f), 2(e) and (4)(a) and (c) of the PFMA which came into effect on 3 January 2023. The PFMA Compliance and Reporting Framework also addresses the disclosure of unauthorised expenditure, irregular expenditure and fruitless and wasteful expenditure (UIFW expenditure). Among the effects of this framework is that irregular and fruitless and wasteful expenditure incurred in previous financial years and not addressed is no longer disclosed in the disclosure notes of the annual financial statements, only the current year and prior year figures should be disclosed in a note to the financial statements, if UIFW expenditure was incurred. The movements in respect of irregular expenditure and fruitless and wasteful expenditure are no longer disclosed in the notes to the annual financial statements of Western Cape Department of Environmental Affairs and Development Planning. The disclosure of these movements (e.g. condoned, recoverable, removed, written off, under assessment, under determination and under investigation) are now included as part of other information in the annual report of the auditees. I do not express an opinion on the disclosure of irregular expenditure and fruitless and wasteful expenditure in the annual report.

Responsibilities of the accounting officer for the financial statements

9. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the MCS as prescribed by the National Treasury and the requirements of the PFMA and Dora, and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
10. In preparing the financial statements, the accounting officer is responsible for assessing the department's ability to continue as a going concern; disclosing, as applicable, matters relating to going concern; and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the department or to cease operations or has no realistic alternative but to do so.

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Responsibilities of the auditor-general for the audit of the financial statements

11. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
12. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.
13. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I must audit and report on the usefulness and reliability of the reported performance against predetermined objectives for selected programmes presented in the annual performance report. The department is responsible for the preparation of the annual performance report.
14. I selected the following programmes presented in the annual performance report for the year ended 31 March 2023 for auditing. I selected programmes that measure the department's performance on its primary mandated functions and that are of significant national, community or public interest.

Programme	Page numbers	Purpose
Programme 3 – compliance and enforcement	74-77	To ensure that the environmental compliance monitoring systems are established and implemented, enforce legislation and environmental authorisations, building compliance monitoring and enforcement capacity through the establishment, training of environmental management inspectorates, acting on complaints and notifications of environmental infringements and acting to monitor these complaints and enforce environmental compliance where required.

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Programme	Page numbers	Purpose
Programme 5 – biodiversity management	88-92	To promote equitable and sustainable use of ecosystem goods and services to contribute to economic development, by managing biodiversity and its components, processes, habitats and functions.

15. I evaluated the reported performance information for the selected programmes against the criteria developed from the performance management and reporting framework, as defined in the general notice. When an annual performance report is prepared using these criteria, it provides useful and reliable information and insights to users on the department's planning and delivery on its mandate and objectives.

16. I performed procedures to test whether:

- the indicators used for planning and reporting on performance can be linked directly to the department's mandate and the achievement of its planned objectives
- the indicators are well defined and verifiable to ensure that they are easy to understand and apply consistently and that I can confirm the methods and processes to be used for measuring achievements
- the targets can be linked directly to the achievement of the indicators and are specific, time bound and measurable to ensure that it is easy to understand what should be delivered and by when, the required level of performance as well as how performance will be evaluated
- the indicators and targets reported on in the annual performance report are the same as what was committed to in the approved initial or revised planning documents
- the reported performance information is presented in the annual performance report in the prescribed manner
- there are adequate supporting evidence for the achievements reported and for the reasons provided for any over- or underachievement of targets.

17. I performed the procedures for the purpose of reporting material findings only and not to express an assurance opinion.

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18. I did not identify any material findings on the reported performance information of the selected programmes.
19. In accordance with the PAA and the general notice issued in terms thereof, I must audit and report on compliance with applicable legislation relating to financial matters, financial management and other related matters. The accounting officer is responsible for the department's compliance with legislation.
20. I performed procedures to test compliance with selected requirements in key legislation in accordance with the findings engagement methodology of the Auditor-General of South Africa (AGSA). This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.
21. Through an established AGSA process, I selected requirements in key legislation for compliance testing that are relevant to the financial and performance management of the department, clear to allow consistent measurement and evaluation, while also sufficiently detailed and readily available to report in an understandable manner. The selected legislative requirements are included in the annexure to this auditor's report.
22. I did not identify any material non-compliance with the selected legislative requirements.
23. The accounting officer is responsible for the other information included in the annual report. The other information referred to does not include the financial statements, the auditor's report and those selected programmes presented in the annual performance report that have been specifically reported on in this auditor's report.
24. My opinion on the financial statements, the report on the audit of the annual performance report and the report on compliance with legislation, do not cover the other information included in the annual report and I do not express an audit opinion or any form of assurance conclusion on it.
25. My responsibility is to read this other information and, in doing so, consider whether it is materially inconsistent with the financial statements and the selected programmes presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
26. If, based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report on that fact.
27. I have nothing to report in this regard.

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28. I considered internal control relevant to my audit of the financial statements, annual performance report and compliance with applicable legislation; however, my objective was not to express any form of assurance on it.

29. I did not identify any significant deficiencies in internal control.

Auditor General

Cape Town
31 July 2023



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

**ANNUAL FINANCIAL STATEMENTS
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Annexure to the auditor's report

The annexure includes the following:

- the auditor-general's responsibility for the audit
- the selected legislative requirements for compliance testing.

Auditor-general's responsibility for the audit

Professional judgement and professional scepticism

As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programmes and on the department's compliance with selected requirements in key legislation.

Financial statements

In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the department's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made
- conclude on the appropriateness of the use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the department to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a department to cease operating as a going concern

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- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Communication with those charged with governance

I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

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Compliance with legislation – selected legislative requirements

The selected legislative requirements are as follows:

Legislation	Sections or regulations
Public Finance Management Act 1 of 1999 (PFMA)	Section 1 Section 38(1)(a)(iv); 38(1)(b); 38(1)(c); 38(1)(c)(i); 38(1)(c)(ii); 38(1)(d); 38(1)(h)(iii) Section 39(1)(a); 39(2)(a) Section 40(1)(a); 40(1)(b); 40(1)(c)(i) Section 43(4); 44; 44 (1) and (2) ; 45(b)
Treasury Regulations for departments, trading entities, constitutional institutions and public entities (TR)	Treasury Regulation 4.1.1; 4.1.3 Treasury Regulation 5.1.1; 5.2.1; 5.2.2(a); 5.3.1 Treasury Regulation 6.3.1(a); 6.3.1(b); 6.3.1(c); 6.3.1(d); 6.4.1(b) Treasury Regulation 7.2.1 Treasury Regulation 8.1.1; 8.2.1; 8.2.2; 8.2.3; 8.4.1 Treasury Regulation 9.1.1; 9.1.4 Treasury Regulation 10.1.1(a); 10.1.2 Treasury Regulation 11.4.1; 11.4.2; 11.5.1 Treasury Regulation 12.5.1 Treasury Regulation 15.10.1.2(c) Treasury Regulation 16A3.1; 16A3.2; 16A3.2(a); 16A6.1; 16A6.2(a), (b) & (e); 16A6.3(a); 16A6.3(a)(i); 16A6.3(b); 16A6.3(c); 16A6.3(d); 16A6.3(e); 16A6.4; 16A6.5; 16A6.6; 16A7.1; 16A.7.3; 16A.7.7; 16A8.2; 16A8.3; 16A8.3(d); 16A8.4; 16A9; 16A9.1; 16A9.1(b)(ii); 16A9.1 (c); 16A9.1(d); 16A9.1(e); 16A9.2; 16A9.2(a)(ii) & (iii); 16A9.1(f) Treasury Regulation 17.1.1 Treasury Regulation 18.2
Division of Revenue Act 5 of 2022	Section 12(5) Section 16(1) Section 16(3) Section 16(3)(a)(i) Section 16(3)(a)(ii)(bb)

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Legislation	Sections or regulations
Public service regulation	Public service regulation 13(c);18; 18(1) and (2); 25(1)(e)(i); 25(1)(e)(iii)
Prevention and Combating of Corrupt Activities Act 12 of 2004 (PRECCA)	Section 29 and section 34(1)
Construction Industry Development Board Act 38 of 2000 (CIDB)	Section 18(1)
CIDB Regulations	CIDB regulation 17; 25(1); 25(5); 25(7A)
Preferential Procurement Policy Framework Act 5 of 2000	Section 1(i); 2.1(a); 2.1(b); 2.1(f)
Preferential Procurement Regulation, 2017	Paragraph 4.1; 4.2 Paragraph 5.1; 5.3; 5.6; 5.7 Paragraph 6.1; 6.2; 6.3; 6.5; 6.6; 6.8 Paragraph 7.1; 7.2; 7.3; 7.5; 7.6; 7.8 Paragraph 8.2; 8.5 Paragraph 9.1; 9.2 Paragraph 10.1; 10.2 Paragraph 11.1; 11.2 Paragraph 12.1; 12.2
Preferential Procurement Regulation, 2022	Paragraph 3.1 Paragraph 4.1; 4.2; 4.3; 4.4 Paragraph 5.1; 5.2; 5.3; 5.4
State Information Technology Agency Act 88 of 1998 (SITA)	Section 7(3) Section 7(6)(b) Section 20(1)(a)(l)
SITA regulations	Regulation 8.1.1 (b); 8.1.4; 8.1.7 Regulation 9.6; 9.4 Regulation 12.3 Regulation 13.1 (a) Regulation 14.1; 14.2
PFMA SCM Instruction no. 9 of 2022/2023	Paragraph 3.1; 3.3 (b); 3.3 (c); 3.3 (e); 3.6
National Treasury Instruction No.1 of 2015/16	Paragraph 3.1; 4.1; 4.2

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Legislation	Sections or regulations
National Treasury SCM Instruction Note 3 2021/22	Paragraph 4.1; 4.2(b); 4.3; 4.4(a)-(d); 4.6 Paragraph 5.4 Paragraph 7.2; 7.6
National Treasury SCM Instruction 4A of 2016/17	Paragraph 6
National Treasury SCM Instruction Note 3 2019/20	Paragraph 5.5.1(vi); 5.5.1(x)
National Treasury SCM Instruction Note 11 2020/21	Paragraph 3.1; 3.4 (a); (b); 3.9; 6.1; 6.2; 6.7
National Treasury SCM Instruction note 2 of 2021/22	Paragraph 3.2.1; 3.2.2; 3.2.4(a); (b); 3.3.1; 3.2.2 Paragraph 4.1
PFMA SCM Instruction 4 of 2022/23	Paragraph 4(1); 4(2); 4(4)
Practice Note 5 of 2009/10	Paragraph 3.3
PFMA SCM instruction 8 of 2022/23	Paragraph 3.2 Paragraph. 4.3.2; 4.3.3
Competition Act 89 of 1998	Section 4(1)(b)(ii)
National Treasury instruction note 4 of 2015/16	Paragraph 3.4
National Treasury instruction 3 of 2019/20 - Annexure A	Section 5.5.1(iv); 5.5.1(x)
Second amendment of NTI 5 of 2020/21	Paragraph 4.8; 4.9; 5.1; 5.3
Erratum NTI 5 of 2020/21	Paragraph 1 Paragraph 2
Practice note 7 of 2009/10	Paragraph 4.1.2
Practice note 11 of 2008/9	Paragraph 3.1 Paragraph 3.1(b)
National Treasury instruction note 1 of 2021/22	Paragraph 4.1
Public Service Act 103 of 1994	Section 30(1)

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APPROPRIATION STATEMENT
for the year ended 31 March 2023

Appropriation per programme									
2022/23								2021/22	
Programme	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
1. Administration	69 413	-	527	69 940	69 245	695	99.0	70 873	70 564
2. Environmental Policy, Planning and Coordination	21 376	-	460	21 836	21 750	86	99.6	19 225	19 137
3. Compliance and Enforcement	33 554	-	348	33 902	33 488	414	98.8	29 091	28 905
4. Environmental Quality Management	86 140	-	(1 345)	84 795	82 965	1 830	97.8	86 916	84 376
5. Biodiversity Management	306 122	-	10	306 132	305 669	463	99.8	300 107	300 020
6. Environmental Empowerment Services	629	-	-	629	474	155	75.4	736	714
7. Development Planning	58 358	-	-	58 358	57 076	1 282	97.8	58 469	57 951
TOTAL	575 592	-	-	575 592	570 667	4 925	99.1	565 417	561 667
Reconciliation with Statement of Financial Performance									
Add:									
Departmental receipts				2 903				2 701	
Actual amounts per Statement of Financial Performance (Total revenue)				578 495				568 118	
Actual amounts per Statement of Financial Performance (Total expenditure)					570 667				561 667

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APPROPRIATION STATEMENT
for the year ended 31 March 2023

Appropriation per economic classification									
2022/23								2021/22	
Economic classification	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Current payments	268 650	(236)	-	268 414	263 489	4 925	98.2	261 710	259 509
Compensation of employees	245 496	(166)	-	245 330	241 650	3 680	98.5	238 503	237 904
Goods and services	23 154	(70)	-	23 084	21 839	1 245	94.6	23 207	21 605
Transfers and subsidies	299 460	173	-	299 633	299 633	-	100.0	294 447	294 447
Provinces and municipalities	6 000	-	-	6 000	6 000	-	100.0	5 400	5 400
Departmental agencies and accounts	292 101	2	-	292 103	292 103	-	100.0	286 784	286 784
Non-profit institutions	1 002	-	-	1 002	1 002	-	100.0	1 000	1 000
Households	357	171	-	528	528	-	100.0	1 263	1 263
Payments for capital assets	7 482	45	-	7 527	7 527	-	100.0	9 231	7 682
Machinery and equipment	7 482	45	-	7 527	7 527	-	100.0	9 231	7 682
Payments for financial assets	-	18	-	18	18	-	100.0	29	29
Total	575 592	-	-	575 592	570 667	4 925	99.1	565 417	561 667

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APPROPRIATION STATEMENT
for the year ended 31 March 2023

PROGRAMME 1: ADMINISTRATION									
	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Office of the Provincial Minister of Local Government, Environmental Affairs and Development Planning	8 748	(138)	-	8 610	8 513	97	98.9	8 383	8 201
2. Senior Management	20 924	115	-	21 039	20 948	91	99.6	20 653	20 603
3. Corporate Services	23 680	(236)	-	23 444	22 942	502	97.9	23 165	23 142
4. Financial Management	16 061	259	527	16 847	16 842	5	100.0	18 672	18 618
Total for sub programmes	69 413	-	527	69 940	69 245	695	99.0	70 873	70 564

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APPROPRIATION STATEMENT
for the year ended 31 March 2023

2022/23								2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Economic classification									
Current payments	64 717	(87)	527	65 157	64 462	695	98.9	66 126	66 126
Compensation of employees	58 235	(16)	-	58 219	57 524	695	98.8	58 320	58 320
Goods and services	6 482	(71)	527	6 938	6 938	-	100.0	7 806	7 806
Transfers and subsidies	52	16	-	68	68	-	100.0	684	684
Departmental agencies and accounts	8	-	-	8	8	-	100.0	16	16
Households	44	16	-	60	60	-	100.0	668	668
Payments for capital assets	4 644	70	-	4 714	4 714	-	100.0	4 050	3 741
Machinery and equipment	4 644	70	-	4 714	4 714	-	100.0	4 050	3 741
Payments for financial assets	-	1	-	1	1	-	100.0	13	13
Total	69 413	-	527	69 940	69 245	695	99.0	70 873	70 564

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APPROPRIATION STATEMENT
for the year ended 31 March 2023

PROGRAMME 2: ENVIRONMENTAL POLICY, PLANNING AND COORDINATION									
	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Intergovernmental Coordination, Spatial and Development Planning	6 702	92	-	6 794	6 794	-	100.0	4 787	4 743
2. Legislative Development	1	(1)	-	-	-	-	-	1	-
3. Research and Development Support	5 136	13	22	5 171	5 163	8	99.8	5 012	4 982
4. Environmental Information Management	4 258	(104)	-	4 154	4 089	65	98.4	4 129	4 122
5. Climate Change Management	5 279	-	438	5 717	5 704	13	99.8	5 296	5 290
Total for sub programmes	21 376	-	460	21 836	21 750	86	99.6	19 225	19 137

WCG: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
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APPROPRIATION STATEMENT
for the year ended 31 March 2023

	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Economic classification									
Current payments	21 091	(97)	460	21 454	21 368	86	99.6	18 924	18 853
Compensation of employees	20 208	(53)	-	20 155	20 069	86	99.6	18 244	18 244
Goods and services	883	(44)	460	1 299	1 299	-	100.0	680	609
Transfers and subsidies	67	54	-	121	121	-	100.0	24	24
Departmental agencies and accounts	-	1	-	1	1	-	100.0	1	1
Households	67	53	-	120	120	-	100.0	23	23
Payments for capital assets	218	43	-	261	261	-	100.0	268	251
Machinery and equipment	218	43	-	261	261	-	100.0	268	251
Payments for financial assets	-	-	-	-	-	-	-	9	9
Total	21 376	-	460	21 836	21 750	86	99.6	19 225	19 137

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APPROPRIATION STATEMENT
for the year ended 31 March 2023

PROGRAMME 3: COMPLIANCE AND ENFORCEMENT									
	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Environmental Quality Management Compliance and Enforcement	33 554	-	348	33 902	33 488	414	98.8	29 091	28 905
Total for sub programme	33 554	-	348	33 902	33 488	414	98.8	29 091	28 905
Economic classification									
Current payments	33 032	50	348	33 430	33 016	414	98.8	28 822	28 710
Compensation of employees	27 141	(9)	-	27 132	26 718	414	98.5	24 531	24 531
Goods and services	5 891	59	348	6 298	6 298	-	100.0	4 291	4 179
Transfers and subsidies	7	8	-	15	15	-	100.0	10	10
Departmental agencies and accounts	1	(1)	-	-	-	-	-	1	1
Households	6	9	-	15	15	-	100.0	9	9
Payments for capital assets	515	(58)	-	457	457	-	100.0	252	178
Machinery and equipment	515	(58)	-	457	457	-	100.0	252	178
Payments for financial assets	-	-	-	-	-	-	-	7	7
Total	33 554	-	348	33 902	33 488	414	98.8	29 091	28 905

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for the year ended 31 March 2023

PROGRAMME 4: ENVIRONMENTAL QUALITY MANAGEMENT									
	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Impact Management	30 599	176	-	30 775	30 176	599	98.1	29 165	29 079
2. Air Quality Management	13 324	(172)	-	13 152	13 152	-	100.0	15 999	15 190
3. Pollution and Waste Management	42 217	(4)	(1 345)	40 868	39 637	1 231	97.0	41 752	40 107
Total for sub programmes	86 140	-	(1 345)	84 795	82 965	1 830	97.8	86 916	84 376
Economic classification									
Current payments	84 069	(80)	(1 345)	82 644	80 814	1 830	97.8	82 155	80 664
Compensation of employees	77 362	(88)	(108)	77 166	75 708	1 458	98.1	75 312	75 180
Goods and services	6 707	8	(1 237)	5 478	5 106	372	93.2	6 843	5 484
Transfers and subsidies	241	88	-	329	329	-	100.0	331	331
Departmental agencies and accounts	2	1	-	3	3	-	100.0	7	7
Non-profit institutions	2	-	-	2	2	-	100.0	-	-
Households	237	87	-	324	324	-	100.0	324	324
Payments for capital assets	1 830	(15)	-	1 815	1 815	-	100.0	4 430	3 381
Machinery and equipment	1 830	(15)	-	1 815	1 815	-	100.0	4 430	3 381
Payments for financial assets	-	7	-	7	7	-	100.0	-	-
Total	86 140	-	(1 345)	84 795	82 965	1 830	97.8	86 916	84 376

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PROGRAMME 5: BIODIVERSITY MANAGEMENT									
	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Biodiversity and Protected Area Planning and Management	7 271	-	11	7 282	6 987	295	95.9	7 086	7 049
2. Western Cape Nature Conservation Board	292 090	-	-	292 090	292 090	-	100.0	286 757	286 757
3. Coastal Management	6 761	-	(1)	6 760	6 592	168	97.5	6 264	6 214
Total for sub programmes	306 122	-	10	306 132	305 669	463	99.8	300 107	300 020
Economic classification									
Current payments	12 978	(15)	10	12 973	12 510	463	96.4	12 299	12 262
Compensation of employees	11 692	-	108	11 800	11 800	-	100.0	11 011	11 011
Goods and services	1 286	(15)	(98)	1 173	710	463	60.5	1 288	1 251
Transfers and subsidies	293 090	6	-	293 096	293 096	-	100.0	287 758	287 758
Departmental agencies and accounts	292 090	-	-	292 090	292 090	-	100.0	286 758	286 758
Non-profit institutions	1 000	-	-	1 000	1 000	-	100.0	1 000	1 000
Households	-	6	-	6	6	-	100.0	-	-
Payments for capital assets	54	9	-	63	63	-	100.0	50	-
Machinery and equipment	54	9	-	63	63	-	100.0	50	-
Total	306 122	-	10	306 132	305 669	463	99.8	300 107	300 020

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for the year ended 31 March 2023

PROGRAMME 6: ENVIRONMENTAL EMPOWERMENT SERVICES									
2022/23								2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Environmental Capacity Development and Support	532	-	-	532	378	154	71.1	623	601
2. Environmental Communication and Awareness Raising	97	-	-	97	96	1	99.0	113	113
Total for sub programmes	629	-	-	629	474	155	75.4	736	714
Economic classification									
Current payments	629	-	-	629	474	155	75.4	736	714
Goods and Services	629	-	-	629	474	155	75.4	736	714
Total	629	-	-	629	474	155	75.4	736	714

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for the year ended 31 March 2023

PROGRAMME 7: DEVELOPMENT PLANNING									
2022/23								2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Sub programme									
1. Development Facilitation	23 931	14	-	23 945	23 273	672	97.2	21 889	21 864
2. Spatial Planning, Land Use Management and Municipal Support	21 936	(14)	-	21 922	21 828	94	99.6	24 492	23 999
3. Regional Planning and Management and Special Programmes	12 491	-	-	12 491	11 975	516	95.9	12 088	12 088
Total for sub programmes	58 358	-	-	58 358	57 076	1 282	97.8	58 469	57 951

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	2022/23							2021/22	
	Approved Budget	Shifting of Funds	Virement	Final Budget	Actual Expenditure	Variance	Expenditure as % of final budget	Final Budget	Actual Expenditure
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Economic classification									
Current payments	52 134	(7)	-	52 127	50 845	1 282	97.5	52 648	52 180
Compensation of employees	50 858	-	-	50 858	49 831	1 027	98.0	51 085	50 618
Goods and services	1 276	(7)	-	1 269	1 014	255	79.9	1 563	1 562
Transfers and subsidies	6 003	1	-	6 004	6 004	-	100.0	5 640	5 640
Provinces and municipalities	6 000	-	-	6 000	6 000	-	100.0	5 400	5 400
Departmental agencies and accounts	-	1	-	1	1	-	100.0	1	1
Households	3	-	-	3	3	-	100.0	239	239
Payments for capital assets	221	(4)	-	217	217	-	100.0	181	131
Machinery and equipment	221	(4)	-	217	217	-	100.0	181	131
Payments for financial assets	-	10	-	10	10	-	100.0	-	-
Total	58 358	-	-	58 358	57 076	1 282	97.8	58 469	57 951

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NOTES TO THE APPROPRIATION STATEMENT
for the year ended 31 March 2023

1. Detail of transfers and subsidies as per Budget Act (after Virement):

Detail of these transactions can be viewed in the note on Transfers and subsidies and Annexure 1 (A-D) to the Annual Financial Statements.

2. Detail of specifically and exclusively appropriated amounts voted (after Virement):

Detail of these transactions can be viewed in note 1 (Annual Budget) to the Annual Financial Statements.

3. Detail on payments for financial assets

Detail of these transactions per programme can be viewed in the note to Payments for financial assets to the Annual Financial Statements.

4. Explanations of material variances from amounts Voted (after Virement):

4.1 Per programme		Final Budget	Actual Expenditure	Variance	Variance as a % of Final Budget
		R'000	R'000	R'000	
Programme 4	Environmental Quality Management	84 795	82 965	1 830	2.2
Underspending on Compensation of Employees stems from the recruitment period between resignations and promotions and the eventual filling of the vacated posts. The delay in finalising and payment of the accelerated grade progressions further contributed to the underspending on Compensation of Employees. The underspending on Goods and Services for this Programme is attributed to initial challenges relating to the impact of the Constitutional Court judgement with respect to the 2017 Preferential Procurement Regulations and unsuccessful bid processes due to proposals exceeding the available budget and several re-advertisements due to no responses on advertisement events. These factors impacted on later contract appointments and spending.					
Programme 6	Environmental Empowerment Services	629	474	155	24.6
Initial challenges relating to the impact of the Constitutional Court judgement on the 2017 Preferential Procurement Regulations and several unsuccessful requests for proposals resulted in a late appointment of a service provider for the Wastepreneurs project. This impacted on the specified time frame to complete the project which contributed to the underspending of this Programme. Savings also realised on travelling and other operational costs through efficiencies associated with hosting virtual capacity building events instead of face-to-face sessions.					
Programme 7	Development Planning	58 358	57 076	1 282	2.2
The underspending for this Programme is predominantly on Compensation of Employees which stems from the period between resignations and promotions and the eventual filling of the vacated positions and the delay in finalising the accelerated grade progressions. Underspending on Goods and Services is attributed to a video project, to capture completed RSEP initiatives, which was not finalised by year end and could therefore not be paid.					

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NOTES TO THE APPROPRIATION STATEMENT
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4.2 Per economic classification	Final Budget	Actual Expenditure	Variance	Variance as a % of Final Budget
	R'000	R'000	R'000	
Current expenditure				
Goods and services	23 084	21 839	1 245	5.4
The underspending relates to the uncertainty on the communication and advisory notes in terms of the invalidity of the 2017 Preferential Procurement Regulations. This together with unsuccessful bid events, due to a lack of responses, proposal amounts exceeding the available budget, resulted in re-advertisements and re-assessing of the procurement methods, contributed to late appointments of service providers which impacted on delivery time frames and payment for services rendered.				

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STATEMENT OF FINANCIAL PERFORMANCE
as at 31 March 2023

	<i>Note</i>	2022/23 R'000	2021/22 R'000
REVENUE			
Annual appropriation	1	575 592	565 417
Departmental revenue	2	2 903	2 701
TOTAL REVENUE		578 495	568 118
EXPENDITURE			
Current expenditure			
Compensation of employees	3	241 650	237 904
Goods and services	4	21 839	21 605
Transfers and subsidies			
Transfers and subsidies	6	299 633	294 447
Expenditure for capital assets			
Tangible assets	7	7 527	7 682
Payments for financial assets	5	18	29
TOTAL EXPENDITURE		570 667	561 667
SURPLUS FOR THE YEAR		7 828	6 451
Reconciliation of Net Surplus for the year			
Voted funds		4 925	3 750
Annual appropriation		4 925	3 750
Departmental revenue and PRF receipts	12	2 903	2 701
SURPLUS FOR THE YEAR		7 828	6 451

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STATEMENT OF FINANCIAL PERFORMANCE
as at 31 March 2023

	<i>Note</i>	2022/23 R'000	2021/22 R'000
ASSETS			
Current assets		5 888	4 768
Cash and cash equivalents	8	5 745	2 312
Receivables	10	143	2 456
Non-current assets		72	106
Receivables	10	72	106
TOTAL ASSETS		5 960	4 874
LIABILITIES			
Current liabilities		5 848	4 715
Voted funds to be surrendered to the Revenue Fund	11	4 925	3 750
Departmental revenue and PRF Receipts to be surrendered to the Revenue Fund	12	29	260
Payables	13	894	705
TOTAL LIABILITIES		5 848	4 715
NET ASSETS		112	159
Represented by:			
Recoverable revenue		112	159
TOTAL		112	159

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**STATEMENT OF CHANGES IN NET ASSETS
as at 31 March 2023**

	2022/23 R'000	2021/22 R'000
Recoverable revenue		
Opening balance	159	150
Transfers:	(47)	9
Debts recovered (included in departmental receipts)	(50)	(39)
Debts raised	3	48
Closing balance	112	159
TOTAL	112	159

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CASH FLOW STATEMENT

for the year ended 31 March 2023

	<i>Note</i>	2022/23 R'000	2021/22 R'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts		581 412	570 894
Annual appropriated funds received	1.1	575 592	565 417
Departmental revenue received	2	5 817	5 477
Interest received	2.3	3	-
Net (increase)/decrease in working capital		2 502	(2 722)
Surrendered to Revenue Fund		(9 801)	(8 727)
Current payments		(263 489)	(259 509)
Payments for financial assets		(18)	(29)
Transfers and subsidies paid		(299 633)	(294 447)
Net cash flow available from operating activities	14	10 973	5 460
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for capital assets	7	(7 527)	(7 682)
Proceeds from sale of capital assets	2.4	-	7
(Increase)/decrease in non-current receivables	10	34	7
Net cash flow available investing activities		(7 493)	(7 668)
CASH FLOWS FROM FINANCING ACTIVITIES			
Increase/(decrease) in net assets		(47)	9
Net cash flows from financing activities		(47)	9
Net increase/(decrease) in cash and cash equivalents		3 433	(2 199)
Cash and cash equivalents at beginning of period		2 312	4 511
Cash and cash equivalents at end of period	15	5 745	2 312

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NOTES TO THE ANNUAL FINANCIAL STATEMENTS
for the year ended 31 March 2023

PART A: ACCOUNTING POLICIES

Summary of significant accounting policies The financial statements have been prepared in accordance with the following policies, which have been applied consistently in all material aspects, unless otherwise indicated. Management has concluded that the financial statements present fairly the department's primary and secondary information. The historical cost convention has been used, except where otherwise indicated. Management has used assessments and estimates in preparing the annual financial statements. These are based on the best information available at the time of preparation. Where appropriate and meaningful, additional information has been disclosed to enhance the usefulness of the financial statements and to comply with the statutory requirements of the Public Finance Management Act (PFMA) Act 1 of 1999 (as amended by Act 29 of 1999) and the Treasury Regulations issued in terms of the PFMA and the annual Division of Revenue Act.	
1	Basis of preparation The financial statements have been prepared in accordance with the Modified Cash Standard.
2	Going concern The financial statements have been prepared on a going concern basis.
3	Presentation currency Amounts have been presented in the currency of the South African Rand (R) which is also the functional currency of the department.
4	Rounding Unless otherwise stated financial figures have been rounded to the nearest one thousand Rand (R'000).
5	Foreign currency translation Cash flows arising from foreign currency transactions are translated into South African Rands using the spot exchange rates prevailing at the date of payment / receipt.
6	Comparative information
6.1	Prior period comparative information Prior period comparative information has been presented in the current year's financial statements. Where necessary figures included in the prior period financial statements have been reclassified to ensure that the format in which the information is presented is consistent with the format of the current year's financial statements.
6.2	Current year comparison with budget A comparison between the approved, final budget and actual amounts for each programme and economic classification is included in the appropriation statement.

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7	Revenue
7.1	Appropriated funds Appropriated funds comprises of departmental allocations as well as direct charges against the revenue fund (i.e. statutory budget). Appropriated funds are recognised in the statement of financial performance on the date the appropriation becomes effective. Adjustments made in terms of the adjustments budget process are recognised in the statement of financial performance on the date the adjustments become effective. Appropriated funds are measured at the amounts receivable. The net amount of any appropriated funds due to/from the relevant revenue fund at the reporting date is recognised as a payable/receivable in the statement of financial position.
7.2	Departmental revenue Departmental revenue is recognised in the statement of financial performance when received and is subsequently paid into the relevant revenue fund, unless stated otherwise. Departmental revenue is measured at the cash amount received. In-kind donations received are recorded in the notes to the financial statements on the date of receipt and are measured at fair value. Any amount owing to the relevant revenue fund at the reporting date is recognised as a payable in the statement of financial position.
7.3	Accrued departmental revenue Accruals in respect of departmental revenue (excluding tax revenue) are recorded in the notes to the financial statements when: • it is probable that the economic benefits or service potential associated with the transaction will flow to the department; and • the amount of revenue can be measured reliably. The accrued revenue is measured at the fair value of the consideration receivable.
8	Expenditure
8.1	Compensation of employees
8.1.1	Salaries and wages Salaries and wages are recognised in the statement of financial performance on the date of payment.
8.1.2	Social contributions Social contributions made by the department in respect of current employees are recognised in the statement of financial performance on the date of payment. Social contributions made by the department in respect of ex-employees are classified as transfers to households in the statement of financial performance on the date of payment.
8.2	Other expenditure Other expenditure (such as goods and services, transfers and subsidies and payments for capital assets) is recognised in the statement of financial performance on the date of payment. The expense is classified as a capital expense if the total consideration paid is more than the capitalisation threshold.

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	Donations made in kind are recorded in the notes to the financial statements on the date of transfer and are measured at cost or fair value.
8.3	Accruals and payables not recognised Accruals and payables not recognised are recorded in the notes to the financial statements at cost at the reporting date.
8.4	Leases
8.4.1	Operating leases Operating lease payments made during the reporting period are recognised as current expenditure in the statement of financial performance on the date of payment. The operating lease commitments are recorded in the notes to the financial statements.
8.4.2	Finance leases Finance lease payments made during the reporting period are recognised as capital expenditure in the statement of financial performance on the date of payment. The finance lease commitments are recorded in the notes to the financial statements and are not apportioned between the capital and interest portions. Finance lease assets acquired at the end of the lease term are recorded and measured at the lower of: • cost, being the fair value of the asset; or • the sum of the minimum lease payments made, including any payments made to acquire ownership at the end of the lease term, excluding interest.
9	Cash and cash equivalents Cash and cash equivalents are stated at cost in the statement of financial position. Bank overdrafts are shown separately on the face of the statement of financial position as a current liability. For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held, other short-term highly liquid investments and bank overdrafts.
10	Prepayments and advances Prepayments and advances are recognised in the statement of financial position when the department receives or disburses the cash. Prepayments and advances are initially and subsequently measured at cost. A prepayment will be expensed when the goods and services are received in terms of the signed agreement with a non-governmental entity. An advance will be expensed when the goods or services are received in terms of the signed agreement with a governmental entity. A prepayment of R332 thousand was made to the Climate Group State and Regions Alliance for continued membership until the end of the 2027/28 financial year.
11	Loans and receivables Loans and receivables are recognised in the statement of financial position at cost plus accrued interest, where interest is charged, less amounts already settled or written-off. Write-offs are made according to the department's write-off policy.

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12	Financial assets
12.1	Financial assets (not covered elsewhere) A financial asset is recognised initially at its cost plus transaction costs that are directly attributable to the acquisition or issue of the financial asset. At the reporting date, a department shall measure its financial assets at cost, less amounts already settled or written-off, except for recognised loans and receivables, which are measured at cost plus accrued interest, where interest is charged, less amounts already settled or written-off.
13	Payables Payables recognised in the statement of financial position are recognised at cost.
14	Capital Assets
14.1	Immovable capital assets Immovable assets reflected in the asset register of the department are recorded in the notes to the financial statements at cost or fair value where the cost cannot be determined reliably. Immovable assets acquired in a non-exchange transaction are recorded at fair value at the date of acquisition. Immovable assets are subsequently carried in the asset register at cost and are not currently subject to depreciation or impairment. Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use. Additional information on immovable assets not reflected in the assets register is provided in the notes to financial statements.
14.2	Movable capital assets Movable capital assets are initially recorded in the notes to the financial statements at cost. Movable capital assets acquired through a non-exchange transaction is measured at fair value as at the date of acquisition. Where the cost of movable capital assets cannot be determined reliably, the movable capital assets are measured at fair value and where fair value cannot be determined; the movable assets are measured at R1. All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1. Movable capital assets are subsequently carried at cost and are not subject to depreciation or impairment. Subsequent expenditure that is of a capital nature forms part of the cost of the existing asset when ready for use.
14.3	Intangible capital assets Intangible assets are initially recorded in the notes to the financial statements at cost. Intangible assets acquired through a non-exchange transaction are measured at fair value as at the date of acquisition. Internally generated intangible assets are recorded in the notes to the financial statements when the department commences the development phase of the project. Where the cost of intangible assets cannot be determined reliably, the intangible capital assets are measured at fair value and where fair value cannot be determined; the intangible assets are measured at R1.

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	All assets acquired prior to 1 April 2002 (or a later date as approved by the OAG) may be recorded at R1. Intangible assets are subsequently carried at cost and are not subject to depreciation or impairment. Subsequent expenditure of a capital nature forms part of the cost of the existing asset when ready for use.
15	Provisions and contingents
15.1	Provisions Provisions are recorded in the notes to the financial statements when there is a present legal or constructive obligation to forfeit economic benefits as a result of events in the past and it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate of the obligation can be made. The provision is measured as the best estimate of the funds required to settle the present obligation at the reporting date.
15.2	Contingent liabilities Contingent liabilities are recorded in the notes to the financial statements when there is a possible obligation that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department or when there is a present obligation that is not recognised because it is not probable that an outflow of resources will be required to settle the obligation or the amount of the obligation cannot be measured reliably.
15.3	Contingent assets Contingent assets are recorded in the notes to the financial statements when a possible asset arises from past events, and whose existence will be confirmed by the occurrence or non-occurrence of one or more uncertain future events not within the control of the department.
15.4	Capital commitments Capital commitments are recorded at cost in the notes to the financial statements.
16	Changes in accounting estimates and errors Changes in accounting estimates are applied prospectively in accordance with MCS requirements. Correction of errors is applied retrospectively in the period in which the error has occurred in accordance with MCS requirements, except to the extent that it is impracticable to determine the period-specific effects or the cumulative effect of the error. In such cases the department shall restate the opening balances of assets, liabilities and net assets for the earliest period for which retrospective restatement is practicable.
17	Events after the reporting date Events after the reporting date that are classified as adjusting events have been accounted for in the financial statements. The events after the reporting date that are classified as non-adjusting events after the reporting date have been disclosed in the notes to the financial statements.
18	Departures from the MCS requirements The Public Finance Management Act (PFMA), No 1 of 1999, requires departments to “prepare financial statements for each financial year in accordance with generally recognised accounting practice”. The Treasury Regulations further defines “generally recognised accounting practice” for departments as being the reporting framework prescribed by the National Treasury, Office of the Accountant General (OAG).

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	The OAG has developed and issued the Modified Cash Standard (hereafter 'the Standard') which sets out the principles for the recognition, recording, measurement, presentation and disclosure of information required in terms of the prescribed formats. Management concluded that the financial statements present fairly the department's primary and secondary information and that the department complied with the Standard. No departures from the Modified Cash Standard were granted.
19	Recoverable revenue Amounts are recognised as recoverable revenue when a payment made in a previous financial year becomes recoverable from a debtor in the current financial year. Amounts are either transferred to the Provincial Revenue Fund when recovered or are transferred to the statement of financial performance when written-off.
20	Related party transactions Related party transactions within the Minister/MEC's portfolio are recorded in the notes to the financial statements when the transaction is not at arm's length. The full compensation of key management personnel is recorded in the notes to the financial statements.
21	Employee benefits The value of each major class of employee benefit obligation (accruals, payables not recognised and provisions) is disclosed in the Employee benefits note. Accruals and payables not recognised for employee benefits are measured at cost or fair value at the reporting date. The provision for employee benefits is measured as the best estimate of the funds required to settle the present obligation at the reporting date.

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NOTES TO THE ANNUAL FINANCIAL STATEMENTS
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PART B: EXPLANATORY NOTES

1. Annual Appropriation

1.1 Annual Appropriation

Included are funds appropriated in terms of the Appropriation Act (and the Adjustments Appropriation Act) for Provincial Departments:

		2022/23		2021/22	
		Final budget	Actual funds received	Final Budget	Appropriation received
		R'000	R'000	R'000	R'000
Programmes					
1	Administration	69 940	69 940	70 873	70 873
2	Environmental Policy, Planning and Coordination	21 836	21 836	19 225	19 225
3	Compliance and Enforcement	33 902	33 902	29 091	29 091
4	Environmental Quality Management	84 795	84 795	86 916	86 916
5	Biodiversity Management	306 132	306 132	300 107	300 107
6	Environmental Empowerment Services	629	629	736	736
7	Development Planning	58 358	58 358	58 469	58 469
Total		575 592	575 592	565 417	565 417

1.2 Conditional grants

	Note	2022/23 R'000	2021/22 R'000
Total grants received	30	4 468	3 704
Provincial grants included in Total Grants received		4 468	3 704

The Expanded Public Works Programme Integrated Grant for Provinces is included in the amounts above for Programme 5: Biodiversity Management.

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2. Departmental revenue

	Note	2022/23 R'000	2021/22 R'000
Sales of goods and services other than capital assets	2.1	618	668
Fines, penalties and forfeits	2.2	1 951	4 620
Interest, dividends and rent on land	2.3	3	-
Sales of capital assets	2.4	-	7
Transactions in financial assets and liabilities	2.5	3 248	189
Total revenue collected		5 820	5 484
Less: Own revenue included in appropriation	12	2 917	2 783
Total		2 903	2 701

2.1 Sales of goods and services other than capital assets

	Note	2022/23 R'000	2021/22 R'000
Sales of goods and services produced by the department		618	668
Administrative fees		563	620
Other sales		55	48
Total	2	618	668

Administrative fees

This revenue item includes collections for environmental impact assessments and waste licensing applications.

Other sales

Includes revenue received as commission on insurances and garnishee orders to the value of R35 thousand and R20 thousand for rezoning fees.

2.2 Fines, penalties and forfeits

	Note	2022/23 R'000	2021/22 R'000
Fines		1 915	4 620
Forfeits		36	-
Total	2	1 951	4 620

Fines

Relates to revenue received in respect of the NEMA Section 24G for persons/entities who commenced with listed activities without prior environmental authorisation. Comparatively the number of fines issued and collected during the current financial year has decreased due to fewer applications received and fines being appealed.

Forfeits

Relates to Government Employees Housing Scheme savings of an employee that was forfeited and paid over to the Provincial Revenue fund.

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2.3 Interest, dividends and rent on land

	Note	2022/23 R'000	2021/22 R'000
Interest		3	-
Total	2	3	-

2.4 Sale of capital assets

	Note	2022/23 R'000	2021/22 R'000
Tangible assets		-	7
Machinery and equipment		-	7
Total	2	-	7

2.5 Transactions in financial assets and liabilities

	Note	2022/23 R'000	2021/22 R'000
Other receipts including Recoverable Revenue		3 248	189
Total	2	3 248	189

Other receipts including Recoverable Revenue

Includes R45 thousand for money collected on contractual debt, recovery of R70 thousand for previous financial year personnel related expenses. R3 thousand for assets sold during the previous financial year, R53 thousand received that relates to previous year expenditure and R3,077 million for unsuccessful municipal roll over requests relating to the Regional Socio-Economic Project (RSEP).

2.6 Transfers received

2.6.1 Donations received in-kind (not included in the main note)

	Note	2022/23 R'000	2021/22 R'000
CapeNature		5	-
Environmental Training and Development Practices Sector		7	-
Education and Training Authority (ETDP SETA)			
Bauhaus der Erde (BdE)		50	-
Global Environment Facility (GEF) and United Nations		12	-
Industrial Development Organisation (UNIDO)			
South African National Research Foundation		47	-
International Institute for Sustainable Development (IISD)		-	806
Total	Annex 1E	121	806

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3. Compensation of employees

3.1 Analysis of balance

	2022/23	2021/22
	R'000	R'000
Basic salary	169 444	166 963
Performance award ⁽¹⁾	32	63
Service based	129	108
Compensative/circumstantial ⁽²⁾	623	569
Other non-pensionable allowances ⁽³⁾	41 042	40 497
Total	211 270	208 200

(1)	Performance award This expenditure was for recognition of improved qualifications.
(2)	Compensative/circumstantial This group of items provide for payments to employees based on certain conditions or circumstances as provided for by the Department of Public Service and Administration (DPSA) and in terms of departmental procedures, such as overtime R67 thousand, and role-playing allowances R556 thousand for cost resulting from operational or job-related requirements.
(3)	Other non-pensionable allowances This group of items provide for allowance as per DPSA guidance not subjected to pension, e.g. housing allowance for homeowners R3,962 million, service bonus R11,202 million and structuring for motor car allowance and cash allowances R25,878 million as part of employees' salary and benefit package.

3.2 Social contributions

	2022/23	2021/22
	R'000	R'000
Employer contributions		
Pension	20 972	20 525
Medical	9 368	9 139
Bargaining council	40	40
Total	30 380	29 704
Total Compensation of employees	241 650	237 904
 Average number of employees	 355	 363

The average number of employees is determined on a full-time equivalent basis at the beginning and end of the financial year. On 1 April 2022, 356 officials were employed which decreased to 353 officials as at 31 March 2023.

The remuneration of the Minister and Top Departmental Personnel are disclosed under note 23 - Key management personnel.

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4. Goods and services

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Administrative fees		78	61
Advertising ⁽¹⁾		512	362
Minor assets	4.1	125	15
Bursaries (employees)		200	246
Catering ⁽²⁾		286	185
Communication		1 604	1 680
Computer services	4.2	1 320	388
Consultants: Business and advisory services ⁽³⁾		1 270	4 070
Laboratory services		933	663
Legal services		3 927	3 269
Contractors		1 257	1 567
Entertainment		4	5
Audit cost – external	4.3	3 918	4 973
Fleet services ⁽⁴⁾		1 433	1 098
Consumables	4.4	531	348
Operating leases		487	354
Rental and hiring		13	13
Travel and subsistence	4.5	2 485	1 335
Venues and facilities		81	74
Training and development		385	375
Other operating expenditure	4.6	990	524
Total		21 839	21 605

(1)	Advertising The increase relates to expenditure for climate change awareness radio campaigns.
(2)	Catering The increase in catering relates to the long service award held during the financial year and various coastal and waste management awareness projects held during the year.
(3)	Consultants: Business and advisory services The decrease relates to lesser projects due to the imposed budget reductions. Detail on consultant services is available in Part D of the Annual Report.
(4)	Fleet services The increase relates to increasing travel following the termination of the National State of Disaster which was instituted to regulate the COVID-19 pandemic.

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4.1 Minor assets

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Tangible capital assets		124	15
Machinery and equipment		124	15
Intangible capital assets		1	-
Software		1	-
Total	4	125	15

Machinery and equipment
The increase relates to once off office furniture purchased during the financial year.

4.2 Computer services

	<i>Note</i>	2022/23 R'000	2021/22 R'000
SITA computer services		322	344
External computer service providers`		998	44
Total	4	1 320	388

External computer service providers
The increase mainly relates to the procurement of access to an online legal resource portal which was not procured in the previous financial year.

4.3 Audit cost – external

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Regularity audits		3 918	4 973
Total	4	3 918	4 973

Regularity audits
This item refers to external/regulatory audits conducted by the Auditor-General of South Africa (AGSA). Covid-19 and billing delays impacted on the audit execution and resulted higher expenditure in the 2021/22 financial year.

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4.4 Consumables

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Consumable supplies		275	146
Uniform and clothing ⁽¹⁾		104	-
Household supplies		40	46
Building material and supplies		56	17
IT consumables ⁽²⁾		25	3
Other consumables ⁽³⁾		50	80
Stationery, printing and office supplies ⁽⁴⁾		256	202
Total	4	531	348

(1)	Uniform and clothing The expenditure mainly relates to the procurement of Personal Protective Equipment for environmental law enforcement officials.
(2)	IT consumables The increase relates to purchasing of drone supplies.
(3)	Other consumables Includes expenditure for notice boards and gifts and awards to employees in terms of the Departmental Bereavement and Employer Support Policy.
(4)	Stationery, printing and office supplies The increase is due to staff returning to office more frequently following the termination of the National State of Disaster which was instituted to regulate the COVID-19 pandemic.

4.5 Travel and subsistence

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Local		2 457	1 335
Foreign		28	-
Total	4	2 485	1 335

Travel and Subsistence The increase is for increasing travel and accommodation cost following the termination of the National State of Disaster which was instituted to regulate the COVID-19 pandemic.
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4.6 Other operating expenditure

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Professional bodies, membership and subscription fees ⁽¹⁾		341	5
Resettlement costs ⁽²⁾		482	311
Other ⁽³⁾		167	208
Total	4	990	524

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(1)	Professional bodies, membership and subscription fees The increase relates to a five-year membership fee that was paid to the Climate Group State and Regions Alliance during the current financial year.
(2)	Resettlement cost Increased staff appointments for the year resulted in increased resettlement cost expenses.
(3)	Other Includes expenditure of R159 thousand for photocopier printing and R8 thousand for courier and delivery services.

5. Payments for financial assets

	Note	2022/23 R'000	2021/22 R'000
Debts written off		18	29
Total	5.1	18	29

5.1 Debts written off

	Note	2022/23 R'000	2021/22 R'000
Nature of debts written off			
Other debt written off			
Damages to desktop and laptop computers		17	29
Accident: Government Motor Transport (GMT) vehicles		1	-
Total		18	29
Total debt written off	5	18	29

6. Transfers and subsidies

	Note	2022/23 R'000	2021/22 R'000
Provinces and municipalities	31 & Annex 1A	6 000	5 400
Departmental agencies and accounts	Annex 1B	292 103	286 784
Non-profit institutions	Annex 1C	1 002	1 000
Households	Annex 1D	528	1 263
Total		299 633	294 447

7. Expenditure for capital assets

	Note	2022/23 R'000	2021/22 R'000
Tangible capital assets		7 527	7 682
Machinery and equipment	7.1	7 527	7 682
Total		7 527	7 682

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7.1 Analysis of funds utilised to acquire capital assets – Current year

	2022/23	
	Voted funds	Total
	R'000	R'000
Tangible capital assets	7 527	7 527
Machinery and equipment	7 527	7 527
Total	7 527	7 527

7.2 Analysis of funds utilised to acquire capital assets – Prior year

	2021/22	
	Voted funds	Total
	R'000	R'000
Tangible capital assets	7 682	7 682
Machinery and equipment	7 682	7 682
Total	7 682	7 682

7.3 Finance lease expenditure included in Expenditure for capital assets

	2022/23	2021/22
	R'000	R'000
Tangible capital assets		
Machinery and equipment	3 712	3 353
Total	3 712	3 353

8. Cash and cash equivalents

	2022/23	2021/22
	R'000	R'000
Consolidated Paymaster General Account ⁽¹⁾	7 406	3 071
Disbursements ⁽²⁾	(1 691)	(789)
Cash on hand	30	30
Total	5 745	2 312

(1)	Consolidated Paymaster General Account The increase is due to the underspending of voted funds which resulted in an increased amount of cash available at year end.
(2)	Disbursements Refers to payments approved and expensed but not yet disbursed by the bank.

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9. Prepayments and advances

9.1 Prepayments (Expensed)

	2022/23			
	Amount as at 1 April 2022	Less: Received in the current year	Add: Current Year prepayments	Amount as at 31 March 2023
	R'000	R'000	R'000	R'000
Goods and services	221	(221)	332	332
Total	221	(221)	332	332

During the 2020/21 financial year R211 thousand was paid to The Climate Group State and Regions Alliance for continued membership until the end of the 2022/23 financial year. During the 2022/23 financial year the estimated membership value received amounted to the balance of R105 thousand. A further R332 thousand was paid to the Climate Group State Regions Alliance for continued membership until the end of the 2027/28 financial year.

A prepayment of R116 thousand was made to the Western Cape Property Development Forum conference during 2021/22 financial year, the conference took place during May 2022.

Prepayments (Expensed)

	2021/22			
	Amount as at 1 April 2021	Less: Received in the current year	Add: Current Year prepayments	Amount as at 31 March 2022
	R'000	R'000	R'000	R'000
Goods and services	211	(106)	116	221
Total	211	(106)	116	221

9.2 Advances paid (Expensed)

	2022/23			
	Amount as at 1 April 2022	Less: Received in the current year	Add: Current Year advances	Amount as at 31 March 2023
	R'000	R'000	R'000	R'000
Other institutions	82	(82)	-	-
Total	82	(82)	-	-

An advance was paid to the Auditor-General South Africa for audit costs on the regularity audit during the 2021/22 financial year audit. Services in this regard have been received.

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Advances paid (Expensed)

	2021/22			
	Amount as at 1 April 2021	Less: Received in the current year	Add: Current Year prepayments	Amount as at 31 March 2022
	R'000	R'000	R'000	R'000
Other institutions	-	-	82	82
Total	-	-	82	82

10. Receivables

		2022/23			2021/22		
		Current	Non-current	Total	Current	Non-current	Total
		R'000	R'000	R'000	R'000	R'000	R'000
Claims recoverable	10.1	-	-	-	2 300	-	2 300
Recoverable expenditure	10.2	66	-	66	69	-	69
Staff debt	10.3	62	72	134	74	106	180
Other receivables	10.4	15	-	15	13	-	13
Total		143	72	215	2 456	106	2 562

10.1 Claims recoverable

	Note	2022/23 R'000	2021/22 R'000
Local governments		-	2 300
Total	10	-	2 300

The prior year amount of R2,300 million relates to a co-funding arrangement with the City of Cape Town for the Water Sensitive City project, this amount was settled by the City of Cape Town during the current financial year.

10.2 Recoverable expenditure

	Note	2022/23 R'000	2021/22 R'000
Disallowance miscellaneous (franking)		66	69
Total	10	66	69

10.3 Staff debt

	Note	2022/23 R'000	2021/22 R'000
Debt account (in service)		128	177
Salary: Tax debt		6	3
Total	10	134	180

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10.4 Other receivables

	Note	2022/23 R'000	2021/22 R'000
Salary Income Tax receivable (SARS)		13	13
Salary Deduction: Disallowance account		2	-
Total	10	15	13

11. Voted funds to be surrendered to the Revenue Fund

	2022/23 R'000	2021/22 R'000
Opening balance	3 750	3 431
Transfer from Statement of Financial Performance (as restated)	4 925	3 750
Paid during the year	(3 750)	(3 431)
Closing balance	4 925	3 750

The surplus funds were surrendered to the Provincial Revenue Fund after year end.

11.1 Reconciliation of unspent conditional grants

	2022/23 R'000	2021/22 R'000
Total conditional grants received	4 468	3 704
Total conditional grants spent	(4 468)	(3 704)
Unspent conditional grants to be surrendered	-	-

12. Departmental revenue and PRF Receipts to be surrendered to the Revenue Fund

	2022/23 R'000	2021/22 R'000
Opening balance	260	72
Transfer from Statement of Financial Performance (as restated)	2 903	2 701
Own revenue included in appropriation	2 917	2 783
Paid during the year	(6 051)	(5 296)
Closing balance	29	260

Accrued departmental revenue were paid to the Provincial Revenue Fund after year end.

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13. Payables – current

		2022/23	2021/22
	Note	R'000	R'000
Clearing accounts	13.1	165	-
Other payables	13.2	729	705
Total		894	705

13.1 Clearing accounts

		2022/23	2021/22
	Note	R'000	R'000
Salary income tax account		33	-
Salary pension fund account		3	-
Government employee housing scheme account		129	-
Total	13	165	-

13.2 Other payables

		2022/23	2021/22
	Note	R'000	R'000
Private enterprise		729	705
Total	13	729	705

Private enterprises

R725 thousand is the balance of payments collected from private companies via plea-and-sentence agreements in terms of Section 105A of the Criminal Procedure Act, 1977 and/or section 34 of the NEMA to be used for enforcement purposes, environmental rehabilitation and enforcement training. R4 thousand refers to an erroneous payment received.

14. Net cash flow available from operating activities

	2022/23	2021/22
	R'000	R'000
Net surplus/(deficit) as per Statement of Financial Performance	7 828	6 451
Add back non-cash/cash movements not deemed operating activities	3 145	(991)
(Increase)/decrease in receivables	2 313	(1 706)
Increase/(decrease) in payables – current	189	(1 016)
Proceeds from sale of capital assets	-	(7)
Expenditure on capital assets	7 527	7 682
Surrenders to Revenue Fund	(9 801)	(8 727)
Own revenue included in appropriation	2 917	2 783
Net cash flow generated by operating activities	10 973	5 460

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15. Reconciliation of cash and cash equivalents for cash flow purposes

	2022/23	2021/22
	R'000	R'000
Consolidated Paymaster General account	7 406	3 071
Disbursement	(1 691)	(789)
Cash on hand	30	30
Total	5 745	2 312

16. Contingent liabilities and contingent assets

16.1 Contingent liabilities

Liable to	Nature	Note	2022/23	2021/22
			R'000	R'000
Other	Litigation		-	6 155
Total			-	6 155

Litigation case

The matter refers to a combined summons received which amongst other includes the Head of Department of Environmental Affairs and Development Planning as the Fourth Defendant. The Department approached the Office of the State Attorney and communicated its non-involvement in the project. The matter has been settled after the reporting period on 10th July 2023 when the action was withdrawn by the plaintiff on the basis that each party carries its own costs. The Department was incorrectly cited in this case and as such the Department shared counsel with the Department of Agriculture. The Department is awaiting advice from the State Attorney on the potential split in costs between the two departments, noting that the Department's view is that Department of Agriculture should be liable for the legal costs. The Department therefor cannot measure any reliably at this stage for legal costs. There are no anticipated reimbursements relating to the matter.

16.2 Contingent assets

Nature of contingent asset	2022/23	2021/22
	R'000	R'000
National Environmental Management Act (NEMA) Section 24G	2 100	100
Outstanding Fines ⁽¹⁾		
Environmental law enforcement: Section 105A of the Criminal Procedure Act 1977 and/or section 34 of the NEMA. ⁽²⁾	100	1 000
Total	2 200	1 100

(1)	The disclosure of R2,1 million relates to outstanding fines in terms of Section 24G of the NEMA for persons/entities who commenced with listed activities without prior environmental authorisation and the Department reasonably expect that the fines will be paid in future. Fines are subject to an appeal process which impact on recovery.
(2)	R100 thousand may accrue to the Department upon finalisation of a plea and sentence agreement. The previous financial year amount relates to one case, the accused withdrew from the plea and sentence agreement and the matter was reported to the National Prosecuting Authority for decision to prosecute.

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At this stage the Department is not able to reliably measure the contingent asset in terms of the Government Employees Housing Scheme of the Individual Linked Savings Facility (ILSF), relating to resignations and termination of service.

Incapacity leave is additional sick leave granted conditionally at the employer's discretion, as provided for in the Leave Determination and Policy on Incapacity Leave and Ill-Health Retirement (PILIR). The Department received thirteen cases for the period under review and one case must still be finalised.

17. Capital commitments

	2022/23 R'000	2021/22 R'000
Machinery and equipment	-	1 456
Total	-	1 456

18. Accruals and payables not recognised

18.1 Accruals

	2022/23		2021/22
	R'000	R'000	R'000
Listed by economic classification	30 Days	Total	Total
Goods and services	467	467	465
Transfers and subsidies	-	-	2
Capital assets	336	336	327
Total	803	803	794

	2022/23 R'000	2021/22 R'000
Listed by programme level		
Administration	481	411
Environmental Policy Planning and Co-ordination	22	2
Compliance and Enforcement	38	267
Environmental Quality Management	109	88
Biodiversity Management	9	12
Development Planning	144	14
Total	803	794

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18.2 Payables not recognised

	2022/23		2021/22
	R'000	R'000	R'000
Listed by economic classification	30 Days	Total	Total
Goods and services	-	-	44
Total	-	-	44

	2022/23	2021/22
	R'000	R'000
Listed by programme level		
Administration	-	13
Compliance and Enforcement	-	11
Environmental Quality Management	-	9
Biodiversity Management	-	4
Development Planning	-	7
Total	-	44

19. Employee benefits

	2022/23	2021/22
	R'000	R'000
Leave entitlement ⁽¹⁾	10 517	11 189
Service bonus ⁽²⁾	5 678	5 554
Capped leave	1 581	1 560
Other ⁽³⁾	2 251	1 742
Total	20 027	20 045

(1)	Leave entitlement The amount includes leave with negative balances amounting to R186 thousand.
(2)	Service bonus Paid to employees as an annual payment equal to 1/12th of the annual salary.
(3)	Other R94 thousand for long service awards payable during the rest of the 2022/23 financial year. The Department is not able to reliably measure the long-term portion of the long service awards to officials. An amount of R1,134 million for a once-off exit gratuity (2020/21-R1,022 million) in terms of Proclamation 50 of 2008 issued in Government Gazette 31597 dated 12 November 2008) for Minister AW Bredell. An amount of R565 thousand for a once-off exit gratuity (2020/21-R528 thousand) in terms of Proclamation 48 of 2016 issued in Government Gazette 40182 dated 2 August 2016) for Minister AW Bredell. A further provision of R458 thousand salary related payments paid during April 2023 with an effective date 31 March 2023. This includes expenditure related to Occupation Specific Dispensation backdated grade progressions and back dated salary related payments.

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	A prior period error was discovered during the year. The Department omitted to include the R528 thousand relating to the provision made for an exit gratuity for Minister AW Bredell in terms of Proclamation 48 of 2016.
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20. Lease commitments

20.1 Operating leases

	2022/23	
	Machinery and equipment	Total
	R'000	R'000
Not later than 1 year	674	674
Later than 1 year and not later than 5 years	842	842
Total lease commitments	1 516	1 516

	2021/22	
	Machinery and equipment	Total
	R'000	R'000
Not later than 1 year	37	37
Total lease commitments	37	37

The Department entered into operating lease agreements for rental of 20 photocopy machines during the financial year. The maintenance of the photocopy machines is done by the lessor for the lease period.

20.2 Finance leases

	2022/23	
	Machinery and equipment	Total
	R'000	R'000
Not later than 1 year	3 587	3 587
Later than 1 year and not later than 5 years	9 072	9 072
Total lease commitments	12 659	12 659

	2021/22	
	Machinery and equipment	Total
	R'000	R'000
Not later than 1 year	3 234	3 234
Later than 1 year and not later than 5 years	2 855	2 855
Total lease commitments	6 089	6 089

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The Department leased 43 vehicles from GMT as at 31 March 2023 (31 March 2022: 43). Daily tariffs are payable on a monthly basis, covering the operational costs, capital costs of replacement of vehicles, and the implicit finance costs in this type of arrangement. The implicit interest is based on Provincial Treasury's approved tariffs for GMT. The Department uses the vehicle for most of the useful life of the vehicle. The agreement does not provide for contingent lease payments, and at the end of the useful life as determined by the lessor, the vehicles are returned where it is sold on auction for the benefit of the lessor.

The increase in the finance lease commitment relates to 14 new replacement vehicles that were allocated to the Department during the financial year.

Correction of an error amounting to R221 thousand was made relating to the leased vehicles from GMT. The correction is for the lease period later than 1 year and not later than 5 years. The prior period error is due to incorrect vehicle tariffs used when the finance lease commitments for selected vehicles were calculated.

21. Accrued departmental revenue

	2022/23	2021/22
	R'000	R'000
Fines, penalties and forfeits	125	69
Total	125	69

21.1 Analysis of accrued departmental revenue

	2022/23	2021/22
	R'000	R'000
Opening balance	69	175
Less: Amounts received	32	110
Add: Amounts recognised	150	7
Less: Amounts written off/ reversed as irrecoverable	62	-
Less: Amounts transferred to receivables for recovery	-	3
Closing balance	125	69

Fines, penalties and forfeits - Pertains to fines associated with Section 24G of the National Environmental Management Act (NEMA). The fines arise from violations of NEMA regulations, and the offenders have agreed to pay them through instalments. However, an amount of R62 thousand was considered irrecoverable and reversed due to the case being referred for a criminal investigation.

22. Related party transactions

Revenue received	2022/23	2021/22
	R'000	R'000
Sales of capital assets	-	7
Total	-	7

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In kind goods and services provided/received
The Western Cape Nature Conservation Board, trading as CapeNature, is a Schedule 3 Part C public entity in terms of the Public Finance Management Act (PFMA) and resorts under the Provincial Minister responsible for nature conservation. Transfer payments were made to CapeNature during the reporting period as per Annexure 1B.
The Department of Environmental Affairs and Development occupies buildings free of charge managed by the Department of Transport and Public Works. Parking space is also provided for government officials at an approved fee that is not market related.
The Department of Environmental Affairs and Development Planning makes use of government motor vehicles managed by Government Motor Transport (GMT) based on tariffs approved by the Provincial Treasury.
The Department of Environmental Affairs and Development Planning received corporate services from the Corporate Services Centre of the Department of the Premier in the Western Cape Province with effect from 1 November 2010 in respect of the following service areas: - Information and Communication Technology - Organisation Development - Provincial Training (transversal) - Human Resource Management - Enterprise Risk Management - Internal Audit - Provincial Forensic Services - Legal Services - Corporate Communication.
The Department of Environmental Affairs and Development Planning received Security Advisory Services and Security Operations from the Department of Community Safety in the Western Cape Province.
The Minister: Local Government, Environmental Affairs and Development Planning is the Executive Authority for both Departments of Local Government and Environmental Affairs and Development Planning, therefore the Department of Local Government is considered a related party.

23. Key management personnel

	2022/23 R'000	2021/22 R'000
Political office bearers ⁽¹⁾	2 096	1 978
Management personnel ⁽²⁾	8 619	8 414
Family members of key management personnel ⁽³⁾	1 401	1 470
Total	12 116	11 862

(1)	Political office bearer: Minister of Local Government, Environmental Affairs and Development Planning.
(2)	Management personnel includes all officials from salary level 14 and above who have significant influence over the planning, direction and control activities of the Department. During the period 6 officials acted in key management capacity roles and their salaries for the acting period are included in the total for key management personnel. Two officials of the Department were identified as close family members of officials who occupied key management capacity roles.
(3)	The comparative amount was corrected to include remuneration of a family member of key management personnel.

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24. Provisions

	2022/23	2021/22
	R'000	R'000
Litigation case	-	5 000
Legal fees: Special Investigative Unit	42	42
Litigation case	58	58
Total	100	5 100

24.1 Reconciliation of movement in provisions – Current year

	2022/23			
	Provision 1	Provision 2	Provision 3	Total provisions
	R'000	R'000	R'000	R'000
Opening balance	5 000	42	58	5 100
Increase in provision	-	-	-	-
Settlement of provision	(1 680)	-	-	(1 680)
Change in provision due to change in estimation	(3 320)	-	-	(3 320)
Closing balance	-	42	58	100

Reconciliation of movement in provisions – Prior year

	2021/22			
	Provision 1	Provision 2	Provision 3	Total provisions
	R'000	R'000	R'000	R'000
Opening balance	5 000	42	-	5 042
Increase in provision	-	-	67	67
Settlement of provision	-	-	(9)	(9)
Closing balance	5 000	42	58	5 100

Provision 1
The Department has settled the bill of R1,680 million during the year. The change in the provision is due to the cost being shared with the second respondent.
Provision 2
The Department received a letter of engagement from the Special Investigative Unit (SIU) in terms of a proclamation for an investigation into the procurement of personal protective equipment in response to the COVID-19 pandemic. The estimated cost as per the engagement letter amounts to R42 thousand. A response on the matter is awaited.
Provision 3
This provision is in respect of a High Court (Western Cape) matter. The Court decided that the environmental authorisation granted is set aside and remitted to the MEC for consideration. The Department is awaiting the taxed legal fees invoice.

25. Non-adjusting events after reporting date

No subsequent events requiring disclosure.

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26. Movable Tangible Capital Assets

Movement in movable tangible capital assets per asset register for the year ended 31 March 2023

	2022/23			
	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
Machinery and Equipment	48 144	3 814	(159)	51 799
Transport assets	1 177	500	-	1 677
Computer equipment	15 598	2 779	(143)	18 234
Furniture and office equipment	2 354	146	-	2 500
Other machinery and equipment	29 015	389	(16)	29 388
Total movable tangible capital assets	48 144	3 814	(159)	51 799

Movable Tangible Capital Assets under investigation		
	Number	Value
		R'000
Included in the above total of the movable tangible capital assets per the asset register that are under investigation:		
Machinery and equipment	52	1 115

47 Major assets to the value of R1,021 million could not be verified and are under investigation. Should these assets not be located, the loss procedure will be followed to determine potential liability and possible recovery.
Confirmed losses per the departmental Loss Control Register under investigation amounts to R94 thousand, 5 assets.

26.1 Movement in movable tangible capital assets per asset register for the year ended 31 March 2022

	2021/22			
	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
Machinery and Equipment	44 267	4 329	(452)	48 144
Transport assets	1 177	-	-	1 177
Computer equipment	14 444	1 447	(293)	15 598
Furniture and office equipment	2 393	-	(39)	2 354
Other machinery and equipment	26 253	2 882	(120)	29 015
Total movable tangible capital assets	44 267	4 329	(452)	48 144

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26.2 Minor assets

Movement in minor assets per the asset register for the year ended 31 March 2023

2022/23		
Intangible assets	Machinery and equipment	Total
R'000	R'000	R'000
Opening balance	9	7 845
Additions	1	124
Disposals	-	(56)
Total minor assets	10	7 923

Intangible assets	Machinery and equipment	Total
Number of R1 minor assets	-	287
Number of minor assets at cost	3	4 772
Total number of minor assets	3	5 062

Minor Capital Assets under investigation		
	Number	Value
		R'000
Included in the above total of the minor capital assets per the asset register that are under investigation:		
Machinery and equipment	133	171
126 Minor assets to the value of R163 thousand could not be verified and are under investigation. Should these assets not be located the loss procedure will be followed to determine potential liability and possible recovery.		
Confirmed losses per the departmental Loss Control Register under investigation amounts to R8 thousand, 7 assets.		

Movement in minor assets per the asset register for the year ended as at 31 March 2022

2021/22		
Intangible assets	Machinery and equipment	Total
R'000	R'000	R'000
Opening balance	9	7 855
Additions	-	14
Disposals	(-)	(24)
Total minor assets	9	7 854

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	Intangible assets	Machinery and equipment	Total
Number of R1 minor assets	-	287	287
Number of minor assets at cost	2	4733	4735
Total number of minor assets	2	5020	5022

26.3 Movable tangible capital assets written off

Movable capital assets written off for the year ended 31 March 2023

	2022/23	
	Machinery and equipment	Total
	R'000	R'000
Assets written off	159	159
Total movable assets written off	159	159

Movable capital assets written off for the year ended 31 March 2022

	2021/22	
	Machinery and equipment	Total
	R'000	R'000
Assets written off	180	180
Total movable assets written off	180	180

27. Intangible Capital Assets

Movement in intangible capital assets per asset register for the year ended 31 March 2023

	2022/23		
	Opening balance	Additions	Closing balance
	R'000	R'000	R'000
Software	1 219	-	1 219
Total intangible capital assets	1 219	-	1 219

27.1 Movement in intangible capital assets per asset register for the year ended 31 March 2022

	2021/22		
	Opening balance	Additions	Closing balance
	R'000	R'000	R'000
Software	1 219	-	1 219
Total intangible capital assets	1 219	-	1 219

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28. Immovable Tangible Capital Assets

Movement in immovable tangible capital assets per asset register for the year ended 31 March 2023

	2022/23	
	Opening balance	Closing balance
	R'000	R'000
Buildings and other fixed structures		
Other fixed structures	1 726	1 726
Total immovable tangible capital assets	1 726	1 726

28.1 Movement in immovable tangible capital assets per asset register for the year ended 31 March 2022

	2021/22	
	Opening balance	Closing balance
	R'000	R'000
Buildings and other fixed structures		
Other fixed structures	1 726	1 726
Total immovable tangible capital assets	1 726	1 726

29. Prior period errors

29.1 Correction of prior period errors

	Note	2022/23		
		Amount before error correction	Prior period error	Restated
		2021/22	2021/22	2022/23
		R'000	R'000	R'000
Employee benefits	19			
Other		1 214	528	1 742
Net effect		1 214	528	1 742
Expenditure: Key management personnel	23			
Family members of key management		101	1 369	1 470
Net effect		101	1 369	1 470
Assets: Lease commitments	20			
Finance lease commitments		3 076	(221)	2 855
Net effect		3 076	(221)	2 855

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Employee benefits

A prior period error was discovered during the year. The Department omitted to include the R528 thousand relating to the provision made for an exit gratuity for Minister AW Bredell in terms of Proclamation 48 of 2016.

Key Management Personnel

The comparative amount was corrected to include remuneration of a family member of key management personnel.

Lease commitments

Correction of an error amounting to R221 thousand was made relating to the leased vehicles from GMT. The correction is for the lease period later than 1 year and not later than 5 years. The prior period error is due to incorrect vehicle tariffs used when the finance lease commitments for selected vehicles were calculated.

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30. STATEMENT OF CONDITIONAL GRANTS RECEIVED

	2022/23						2021/22	
NAME OF GRANT	GRANT ALLOCATION			SPENT				
	Division of Revenue Act/ Provincial grants	Total available	Amount received by department	Amount spent by department	Under / (Over-spending)	% of available funds spent by department	Division of Revenue Act/Provincial grants	Amount spent by department
	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Expanded Public Works Programme Integrated Grant for Provinces	4 468	4 468	4 468	4 468	-	100	3 704	3 704
Total	4 468	4 468	4 468	4 468	-		3 704	3 704

All funds received in terms of the Division of Revenue Act were deposited into the Province's primary bank account.

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31. STATEMENT OF CONDITIONAL GRANTS AND OTHER TRANSFERS PAID TO MUNICIPALITIES

NAME OF MUNICIPALITY	2022/23			2021/22	
	GRANT ALLOCATION		TRANSFER		
	DoRA and other transfers	Total available	Actual transfer	DORA and other transfers	Actual transfer
	R'000	R'000	R'000	R'000	R'000
The following allocations does not form part of the DoRA requirements					
Regional Socio-Economic Projects (RSEP)					
Bergivier	120	120	120	-	-
Swartland	1 200	1 200	1 200	-	-
Witzenberg	500	500	500	800	800
Drakenstein	600	600	600	1 300	1 300
Breede Valley	800	800	800	-	-
Theewaterskloof	1 000	1 000	1 000	-	-
Cape Agulhas	700	700	700	800	800
Mossel Bay	1 080	1 080	1 080	-	-
Stellenbosch	-	-	-	1 000	1 000
Bitou	-	-	-	500	500
Prince Albert	-	-	-	1 000	1 000
Total	6 000	6 000	6 000	5 400	5 400

Municipalities forms part of the implementation of the Regional Socio-Economic Projects (RSEP).

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32. BROAD BASED BLACK ECONOMIC EMPOWERMENT PERFORMANCE

Information on compliance with the B-BBEE Act is included in the Annual Report, Part C Governance under the section titled B-BBEE Compliance Performance Information.

33. COVID - 19 Response Expenditure

	<i>Note</i>	2022/23 R'000	2021/22 R'000
Goods and services	<i>Annex 4</i>	-	508
Expenditure for capital assets		-	-
Total		-	508

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**ANNEXURES TO THE ANNUAL FINANCIAL STATEMENT
for the year ended 31 March 2023**

ANNEXURE 1A

STATEMENT OF CONDITIONAL GRANTS AND OTHER TRANSFERS PAID TO MUNICIPALITIES

	2022/23							2021/22	
Name of Municipality	GRANT ALLOCATION		TRANSFER	SPENT				Division of Revenue Act	Actual transfers
	DoRA and other transfers	Total available	Actual transfer	Amount received by municipality	Amount spent by municipality	Unspent funds	% of available funds spent by municipality		
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
The following allocations does not form part of the DoRA requirements									
Regional Socio-Economic Projects (RSEP)									
Bergvriër	120	120	120	120	120	-	100	-	-
Swartland	1 200	1 200	1 200	1 200	740	460	62	-	-
Witzenberg	500	500	500	500	-	500	0	800	800
Drakenstein	600	600	600	600	600	-	100	1 300	1 300

Continue....

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	2022/23							2021/22	
Name of Municipality	GRANT ALLOCATION		TRANSFER	SPENT					
	DoRA and other transfers	Total available	Actual transfer	Amount received by municipality	Amount spent by municipality	Unspent funds	% of available funds spent by municipality	DoRA and other transfers	Actual Transfers
	R'000	R'000	R'000	R'000	R'000	R'000	%	R'000	R'000
Breede Valley	800	800	800	800	184	616	23	-	-
Theewaterskloof	1 000	1 000	1 000	1 000	-	1 000	0	-	-
Cape Agulhas	700	700	700	700	92	608	13	800	800
Mossel Bay	1 080	1 080	1 080	1 080	265	815	25	-	-
Stellenbosch	-	-	-	-	-	-	-	1 000	1 000
Bitou	-	-	-	-	-	-	-	500	500
Prince Albert	-	-	-	-	-	-	-	1 000	1 000
TOTAL	6 000	6 000	6 000	6 000	2 001	3 999		5 400	5 400

Municipalities forms part of the implementation of the Regional Socio-Economic Projects (RSEP).

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**ANNEXURE 1B
STATEMENT OF TRANSFERS TO DEPARTMENTAL AGENCIES AND ACCOUNTS**

	2022/23					2021/22	
Departmental Agency or Account	TRANSFER ALLOCATION			TRANSFER			
	Adjusted Budget	Adjustments	Total Available	Actual Transfer	% of Available funds transferred	Final Budget	Actual transfer
	R'000	R'000	R'000	R'000	%	R'000	R'000
Western Cape Nature Conservation Board (CapeNature)	292 090	-	292 090	292 090	100	286 757	286 757
SABC (TV Licences)	11	2	13	13	100	27	27
TOTAL	292 101	2	292 103	292 103		286 784	286 784

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**ANNEXURE 1C
STATEMENT OF TRANSFERS TO NON-PROFIT INSTITUTIONS**

	2022/23				2021/22	
	TRANSFER ALLOCATION		EXPENDITURE			
	Adjusted Budget	Total Available	Actual Transfer	% of Available funds Transferred	Final Budget	Actual transfer
Non-profit institutions	R'000	R'000	R'000	%	R'000	R'000
Transfers						
Biosphere Reserve Company:						
Kogelberg Biosphere Reserve	200	200	200	100	200	200
Cape West Coast Biosphere Reserve	200	200	200	100	200	200
Cape Winelands Biosphere Reserve	200	200	200	100	200	200
Gouritz Cluster Biosphere Reserve	200	200	200	100	200	200
Garden Route Biosphere Reserve	200	200	200	100	200	200
Donation made to NPI:						
Mosaic women's training service and healing centre	2	2	2	100	-	-
TOTAL	1 002	1 002	1 002		1 000	1 000

Cash donation made to the guest speaker of the Mosaic women's training service and healing centre at a Departmental Gender Mainstreaming Forum event.

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**ANNEXURE 1D
STATEMENT OF TRANSFERS TO HOUSEHOLDS**

	2022/23					2021/22	
		TRANSFER ALLOCATION		EXPENDITURE			
	Adjusted Budget	Adjustments	Total Available	Actual Transfer	% of Available funds Transferred	Final Budget	Actual Transfer
Households	R'000	R'000	R'000	R'000	%	R'000	R'000
Transfers							
Early retirement penalisation	-	-	-	-		550	550
Leave Gratuity	356	166	522	522	100	702	702
Injury on duty	1	5	6	6	100	2	2
Act of grace	-	-	-	-		9	9
TOTAL	357	171	528	528		1 263	1 263

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ANNEXURE 1E

STATEMENT OF GIFTS, DONATIONS AND SPONSORSHIPS RECEIVED

Name of organisations	Nature of gift, donation or sponsorship	2022/23	2021/22
		R'000	R'000
Received in kind			
CapeNature	The Department accepted an in-kind from CapeNature for an official who won a prize at a CapeNature Review Symposium event for a 2-night accommodation stay.	5	-
South African National Research Foundation	The Department accepted an in-kind gift from the South African National Research Foundation for six (6) officials to attend the 15th International conference of on MERCURY AS A GLOBAL POLLUTANT that took place during 24 to 29 July 2022.	47	-
Global Environment Facility (GEF) and United Nations Industrial Development Organisation (UNIDO)	The Department accepted an in-kind gift from the Global Environment Facility (GEF) and United Nations Industrial Development Organisation (UNIDO) for two (2) officials to attend the National Biogas Training Workshop for Government Officials and Public Institutions Personnel, in Durban, KwaZulu-Natal, which took place over 3 days, during 17-19 August 2022.	12	-
Bauhaus der Erde (BdE)	The Department accepted an in-kind gift from the Bauhaus der Erde (BdE) for an official to participate in the discussions for the CHARTER FOR CITY AND THE EARTH implementation at city-regional level that took place from 03 to 08 October 2022 in Barcelona, Spain.	50	-
Environmental Training and Development Practices Sector Education and Training Authority (ETDP SETA)	The Department accepted an in-kind gift from the Environmental Training and Development Practices Sector Education and Training Authority (ETDP SETA) for an official to attend a workshop that took place in Gauteng over two days from 28 - 29 March 2023.	7	-
International Institute for Sustainable Development (IISD)	The Department accepted an in-kind gift from the International Institute for Sustainable Development to perform a study on the valuation of Nature-Based wastewater treatment solutions at the Hartenbos estuary.	-	806
TOTAL		121	806

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ANNEXURE 2 (Note 16.1)

STATEMENT OF CONTINGENT LIABILITIES AS AT 31 MARCH 2023

Nature of liability	Opening balance 1 April 2022	Liabilities paid/cancelled/reduced during the year	Closing balance 31 March 2023
	R'000	R'000	R'000
Other			
Litigation case - The Department (amongst others) vs Kunje Boerdery CC and others	6 155	6 155	-
TOTAL	6 155	6 155	-

The matter refers to a combined summons received which amongst other includes the Head of Department of Environmental Affairs and Development Planning as the Fourth Defendant. The Department approached the Office of the State Attorney and communicated its non-involvement in the project. The matter has been settled after the reporting period on 10th July 2023 when the action was withdrawn by the plaintiff on the basis that each party carries its own costs. The Department was incorrectly cited in this case and as such the Department shared counsel with the Department of Agriculture. The Department is awaiting advice from the State Attorney on the potential split in costs between the two departments, noting that the Department's view is that Department of Agriculture should be liable for the legal costs. The Department therefor cannot measure any reliably at this stage for legal costs. There are no anticipated reimbursements relating to the matter.

ANNEXURE 3

CLAIMS RECOVERABLE

Government entity	Confirmed balance outstanding		Unconfirmed balance outstanding		Total	
	31/03/2023	31/03/2022	31/03/2023	31/03/2022	31/03/2023	31/03/2022
	R'000	R'000	R'000	R'000	R'000	R'000
Other Government Entities						
City of Cape Town	-	-	-	2 300	-	2 300
TOTAL	-	-	-	2 300	-	2 300

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**ANNEXURE 4
COVID-19 RESPONSE EXPENDITURE
Per quarter and in total**

Expenditure per economic classification	2022/23					2021/22
	Q1	Q2	Q3	Q4	Total	Total
	R'000	R'000	R'000	R'000	R'000	R'000
Goods and services	-	-	-	-	-	508
Communication	-	-	-	-	-	490
Consumable supplies	-	-	-	-	-	18
TOTAL COVID-19 RESPONSE EXPENDITURE	-	-	-	-	-	508

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ANNEXURE 5

TRANSPORT ASSETS AS PER FINANCE LEASE REGISTER PERIOD ENDED 31 MARCH 2023

	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
Machinery and equipment				
Transport assets	8 451	4 018	2 377	10 091
Total	8 451	4 018	2 377	10 091

TRANSPORT ASSETS AS PER FINANCE LEASE REGISTER PERIOD ENDED 31 MARCH 2022

	Opening balance	Additions	Disposals	Closing balance
	R'000	R'000	R'000	R'000
Machinery and equipment				
Transport assets	8 182	975	(706)	8 451
Total	8 182	975	(706)	8 451

The Department utilised 43 Government motor vehicles during the period ended 31 March 2023, and 43 Government motor vehicles during the previous financial year ended 31 March 2022. The motor vehicles are leased under a finance agreement unique to the Western Cape Government and this annexure aims to improve the minimum reporting requirements as per the Modified Cash Standard.

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Department of Environmental Affairs and Development Planning

Chief Directorate: Management Support

Directorate: Strategic and Operational Support

www.westerncape.gov.za/eadp

DISCLAIMER

The English version of this Annual Performance Plan is regarded as the official text. The Department cannot be held liable for any misinterpretations that may have occurred during the translation process.

VRYWARING

Die Engelse weergawe van hierdie Jaarlikse Prestasieplan word as die amptelike teks beskou. Die Departement aanvaar geen verantwoordelikheid vir enige wanvertolkings wat gedurende die vertaalproses kon voorgekom het nie.

INKCAZO

Ingxelo yesiNgesi yale Ngxelo yoNyaka ithatyathwa njengesicatshulwa esisemthethweni. ISebe alisayi kubekwa tyala ngeenkcazelo ezingezizo ezinokuthi zenzeke kuguqulelo lwale Ngxelo.

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