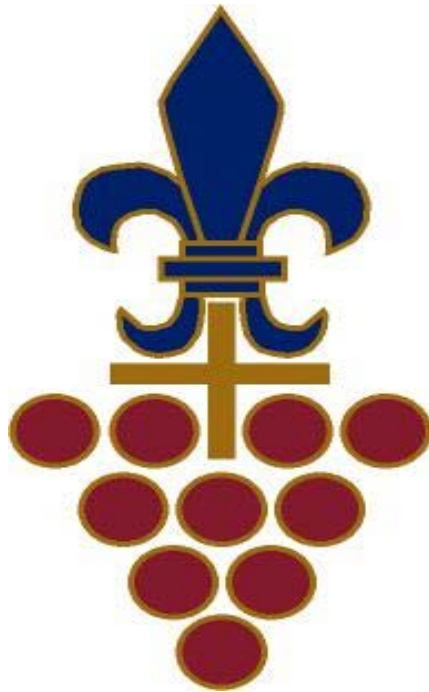


APPENDIX 4

STELLENBOSCH MUNICIPALITY



SUMMARY OF CHANGES TO BUDGET AND RELATED POLICIES

2024/2025



STELLENBOSCH MUNICIPALITY

SUMMARY OF POLICIES

Policy/ By-law	Summarized Nature of change
Rates Policy	<p><u>Rates Policy</u></p> <p>The list below demonstrates such changes and serves the purpose to highlight the changes.</p> <p>Minor Corrections and document layout improvements</p> <p>Various grammatical and language changes and layout improvements were applied to enhance the readability of the document. The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p>Substantial Changes</p> <ul style="list-style-type: none"> • Paragraph 7.2 [<i>Multiple use Properties</i>] was modified to ensure consistency when using specific categories for the components of such multiple use properties and to dis-allow the application of vacant properties within the multiple use context. • Paragraph 12 [<i>Clearance Certificates</i>] was modified by the removal of the reference to Special Rating Areas and a sub-paragraph (v) was added to allow for written conditional undertakings by Transfer Attorneys:
Indigent Policy	<p><u>Indigent Policy 2024/25</u></p> <p>The list below demonstrates such changes and serves the purpose to highlight the changes.</p> <p>Substantial Changes</p> <ul style="list-style-type: none"> • Paragraph 9 (c) [Indigent Register] was modified by the addition of “Use may be made of accredited services providers for audits and/or external verification checks”. • A new paragraph 10 [Communication Procedures] was added to ensure alignment to the document assessment report. <p>The renumbered paragraph 12 [Short Title and Effective date] was updated.</p>
Credit Control Policy	<p><u>Credit Control and Debt Collection Policy 2024/25</u></p> <p>Minor Corrections and document layout improvements</p> <p>Various grammatical and language changes and layout improvements were applied to enhance the readability of the document. The Table of Contents was updated to record the applied changes. The details of such may be traced via the “Track Changes” that has been activated in said document.</p>

Policy/ By-law	Summarized Nature of change
	<p>Substantial Changes</p> <ul style="list-style-type: none"> • The term “owners/debtors/consumers” as used throughout the Policy in various forms was modified to “owners/debtors” (or its singular usage) ensuring consistency of application and to mitigate the confusion caused. • Paragraph 8.2 regarding the use of e-mail addresses was modified to include the partial sentence “<i>or any documents processed by the Municipality</i>”. • Paragraph 8.5.1 was modified to emphasise to the public that they may during office hours approach the account enquiries staff for direct/immediate assistance. <p>Paragraph 15.1 was modified to mitigate the uncertainty caused by the exclusion clause which now refers to “rentals only” instead of the implied “all services” as previously stated.</p>
<p>Irrecoverable Debt Policy</p>	<p><u>Irrecoverable Debt Policy</u></p> <p>The list below demonstrates such changes and serves the purpose to highlight the changes.</p> <p>Minor Corrections and document layout improvements</p> <p>No grammatical and language changes or layout improvements were applied to the document. The details of other specific changes may be traced via the “Track Changes” that has been activated in said document.</p> <p>Substantial Changes</p> <ul style="list-style-type: none"> • Paragraph 3.2 was modified for higher levels for writing-off debt.
<p>Tariff Policy</p>	<p><u>Tariff Policy</u></p> <p>The list below demonstrates such changes and serves the purpose to highlight the changes.</p> <p>Minor Corrections and document layout improvements</p> <p>Various grammatical and language changes and layout improvements were applied to enhance the readability of the document. The Table of Contents was updated to record the applied changes. The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p>Substantial Changes</p> <ul style="list-style-type: none"> • Paragraph 4 (a) [<i>Trading Services</i>] was modified to provide for the optional context for generating surplus. • Paragraph 4 (e) [<i>Sundry Services</i>] was modified to provide for the optional context that the specific service charges to be cost covered but should at least break-even. • Paragraph 5.1 [<i>Water Tariffs</i>] was modified by removing the reason that water tariffs must follow the trend of bulk water purchases. • Paragraph 5.2 (k) [<i>Electricity Tariffs – Time of Use energy rate</i>] was modified by removing the title of said time periods.

Policy/ By-law	Summarized Nature of change
	<ul style="list-style-type: none"> Paragraph 5.3 (a) [<i>Refuse (Solid Waste) Removal Tariffs – Residential properties</i>] was modified by qualifying the name of the refuse bags as “standard refuse” bags.
Special Rating Area Policy	<p><u>Special Rating Area Policy</u></p> <p>The list below demonstrates such changes and serves the purpose to highlight the changes.</p> <p>Minor Corrections and document layout improvements</p> <p>Various grammatical and language changes and layout improvements were applied to enhance the readability of the document. The Table of Contents was updated to record the applied changes. The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p>Substantial Changes</p> <ul style="list-style-type: none"> Paragraph 6.4 [regarding leased <i>municipal-owned properties</i>] was modified to state that the liability for additional special rates is only applicable if the occupant is liable for the payment of rates for said municipal property. Paragraph 10.1.9 was modified to make the differentiation between categories and optional criteria.
Travel & Subsistency Policy	<p><u>TRAVEL & SUBSISTENCY POLICY 2024-25</u></p> <p>(Minor amendments the details of such may be traced via the “Track Changes” that has been activated in said document)</p> <p>(page 4)</p> <p>3.1 Subsistence Allowance</p> <ul style="list-style-type: none"> (i) The representative is obliged to spend at least one night away from his or her usual place of residence on business; R522 per day, or (ii) The representative will be on official business for a period exceeding 12 consecutive hours per day, without having to spend a night away from his or her usual place of residence; R161 per day.
Cash Management and Investment Policy	<p>Cash Management and Investment Policy 2024/25</p> <p>Substantial Changes</p> <p>The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p>Substantial changes made to the cash management and investment policy are as follow:</p>

Policy/ By-law	Summarized Nature of change
	<p>3.2.2 Petty Cash Withdrawal Petty Cash is replenished by completing a petty cash replenish form provided.</p> <p>3.2.3 Delegation/Rights</p> <p>The incumbents of the following posts are authorized to sign petty cash request forms and authorise electronic payments on behalf of Council:</p> <p>3.2.3.2 Electronic Funds Transfer (EFT) and Petty cash request</p> <p>A-Signatories: Chief Financial Officer SNR Manager: Financial Management Services SNR Manager: Revenue and Expenditure Manager: Expenditure Manager: Revenue SNR Manager: Supply Chain Management Manager: Budget and Costing Manager: Financial Statements, Compliance and Reporting Manager: Financial Asset Management</p> <p>B-Signatories: Chief Accountant: Consumer Accounts and Valuations Senior Accountant: Cash Management and Credit Control Senior Accountant: MFMA Reporting and Compliance Senior Accountant: Financial Statements and Reconciliations Chief Accountant: Asset Management Chief Accountant: SDBIP Monitoring and Budget Control x2 Senior Accountant: Creditors and Payroll</p> <p>Each electronic payment and petty cash request form needs to be authorized by at least two A-Signatories, or one A-Signatory and one B-Signatory.</p>

Policy/ By-law	Summarized Nature of change
	<p>4.5 Deposit Books</p> <p>Each satellite-office cashier has an enumerated deposit book, as each pay point has a number. The Senior Clerk: Cashier orders books from the bank when needed. Head Office cashiers use the cash-vault machines for all deposits.</p> <p>4.6 Other payment methods</p> <p>4.6.1 Direct Deposits and ACB</p> <p>Direct deposits can be made into Municipal bank account via the Internet or by deposit slip via their bank, using the applicable Municipal account number as reference. This information is extracted and uploaded on a daily basis from the bank and imported into the Financial System. All deposits with a correct and recognisable reference will be receipted on a daily basis into the Financial System, where it is not possible to identify the deposit(s) it will be transferred into the Unallocated/Default vote. The Senior Clerk: Electronic Payments will investigate and follow-up regularly on the deposits in the Unallocated/Default vote to receipt these deposits to the correct debtor account or U-key.</p> <p>A monthly reconciled Unallocated/Default register which is duly signed off by the Accountant and Senior Accountant Cash Management is kept on record for reporting and capturing into the Annual Financial Statements.</p> <p>All deposits with an incorrect or unrecognisable reference in the reconciled and duly signed off Unallocated/Default register will be submitted to the Senior Manager: Revenue and Expenditure to be duly authorised for recognition as Income in accordance with the Prescription Act 68 of 1969(Updated to 23 December 2020).</p> <p>4.6.2 3rd Party</p> <p>Payments can be made at any approved service provider paypoints. This information is extracted and uploaded on a daily basis from the service providers'and credited against the clients' accounts.</p>

Policy/ By-law	Summarized Nature of change
	<p>4.6.5. Rejected Debit Orders and/or Electronic Payments</p> <p>Should any debit orders and/or electronic payment be rejected by any bank, such receipts will be reversed, and the full balance will be immediately become due. Any debit orders captured by the Finance Department and rejected by any bank, will be cancelled after three rejections.</p> <p>4.6.5.1 A prescribed fee as approved by Council may be levied on all rejected electronic payments</p> <p>4.6.6 Private Money</p> <p>No Municipal employee is allowed to:</p> <ul style="list-style-type: none"> - Use Council's cash funds at any stage to be replaced at a later stage. - Use his/her own money as cashier float. - Safeguard private money amongst Council's cash (e.g. Cashier drawers, petty cash boxes, safes. Cash vault machines (where installed) etc.) <p>5.3 Diversification</p> <p>Council will only make investments, as prescribed by Section 6 of the Municipal Investment Regulations, with approved institutions as set out in par 5.2 above. Excluding investments made per Executive Mayoral Committee resolution not more than 50% of available funds will be placed with a single institution. The discretion of management should be used when investing funds into the institution quoting the highest rate versus diversification of investment portfolio. Should the difference between the investment quotes be minimal, a decision can be made to invest in the lower quote for the diversification of investment portfolios.</p> <p>5.5 Internal Controls Over Investments</p> <p>5.5.1 Delegations</p> <p>5.5.1.1 In terms of Section 60(2) of the Local Government: Municipal Systems Act, (Act 32 of 2000) (the MSA), the Council may only delegate to the Municipal Manager (MM) the power to make decisions on investments on behalf of the Municipality.</p> <p>5.5.1.2 In terms of section 79 of the Act, the Accounting Officer has delegated to the Chief Financial Officer (CFO), in writing, his/her duty under section 65(2) (h) to manage the Council's available</p>

Policy/ By-law	Summarized Nature of change												
	<p>working capital effectively and economically in terms of the prescribed cash management and investment framework.</p> <p>5.5.2 Obtaining quotations and concluding deals</p> <p>Request are emailed to all approved institutions the day before, or the morning thereof. A cut-off is requested to ensure timeous processing of authorisation and payment of the investment. Quotes are captured on the decision report rates are compared and chosen in terms of the policy. Writing mandates, signed by the CFO and MM, shall be issued to successful investees with whom the Council of Stellenbosch Municipality invests funds setting out the following:</p> <p>9. REPORTING</p> <p>9.1 Reports</p> <p>The following reports are produced:</p> <table border="1" data-bbox="451 1020 1291 1524"> <thead> <tr> <th data-bbox="451 1020 646 1119">REPORT NAME</th> <th data-bbox="646 1020 846 1119">FREQUENCY</th> <th data-bbox="846 1020 1079 1119">PREPARED BY</th> <th data-bbox="1079 1020 1291 1119">RECIPIENT</th> </tr> </thead> <tbody> <tr> <td data-bbox="451 1119 646 1272">Bank Balance report</td> <td data-bbox="646 1119 846 1272">Daily</td> <td data-bbox="846 1119 1079 1272">Senior Clerk: Electronic Payments</td> <td data-bbox="1079 1119 1291 1272">Chief Finance Officer</td> </tr> <tr> <td data-bbox="451 1272 646 1524">Investments</td> <td data-bbox="646 1272 846 1524">Monthly</td> <td data-bbox="846 1272 1079 1524">Senior Accountant: Financial Statements and Reconciliations</td> <td data-bbox="1079 1272 1291 1524">Manager: Financial Statements and Reporting</td> </tr> </tbody> </table> <p>11. EFFECTIVE DATE</p> <p>The effective date of this Policy is 1 July 2023 and will be reviewed on an annual basis to ensure that it is in line with the Municipality's strategic objectives and with legislation.</p>	REPORT NAME	FREQUENCY	PREPARED BY	RECIPIENT	Bank Balance report	Daily	Senior Clerk: Electronic Payments	Chief Finance Officer	Investments	Monthly	Senior Accountant: Financial Statements and Reconciliations	Manager: Financial Statements and Reporting
REPORT NAME	FREQUENCY	PREPARED BY	RECIPIENT										
Bank Balance report	Daily	Senior Clerk: Electronic Payments	Chief Finance Officer										
Investments	Monthly	Senior Accountant: Financial Statements and Reconciliations	Manager: Financial Statements and Reporting										

Policy/ By-law	Summarized Nature of change
<p>Development Charges Policy</p>	<p>Development Charges Policy 2024/25</p> <p>Substantial changes were made to the Development Charges Policy. The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p>Point 1 Definitions</p> <p>1.8 ‘development charge (DC)’ means a charge levied by the Municipality or a Municipal Planning Tribunal in terms of section 40(7)(b) of, and contemplated in section 49 of, the SPLUMA, which must-</p> <p>(a) contribute towards the cost of capital infrastructure assets required to meet increased demand for existing and planned external engineering services; or</p> <p>(b) with the approval of the Minister, contribute towards capital infrastructure assets required to meet increased demand for other municipal engineering services not prescribed in terms of the SPLUMA;</p> <p>1.16 ‘land development application’ means an application for approval of land development as contemplated in section 41 of the SPLUMA or a building plan application;</p> <p>Point 2 Introduction</p> <p>2.9 A Development Charge (‘DC’) is a once-off capital charge to recover the actual cost of external infrastructure required to accommodate the additional impact of a new development on engineering services. A DC calculation is triggered by a land use change / land development application that will, if approved, intensify the municipal infrastructure demand. The threshold is the level up to which a new land use is deemed to have the same infrastructure impact as the existing permissible use and is determined based on a technical assessment.</p> <p>Point 5 Key principles of the Policy</p> <p>5.1. Principles to be applied must be in accordance with the current legislation, and further expounded in this policy.</p> <p>5.2. Development Charges will be levied based on the increased demand that utilisation of intensified land use rights, which came into operation as a result of the Zoning Scheme or approval of new land development applications , are reasonably expected to have on existing and planned external engineering services capacity, irrespective of the geographical location of the development. For example, the traffic generated by a development located along a provincial road, will ultimately end up on the municipal road network that link to the provincial roads.</p>

Policy/ By-law	Summarized Nature of change
	<p>The same applies to the additional stormwater run-off that ends up in downstream municipal networks and river courses, increase in demand and the bulk supply of water, and sewer and solid waste disposal. Factors are allowed in the calculations to reflect actual usage and as far as possible based on usages based on industry norms and standards of infrastructure for these cases.</p> <p>Point 6 Obligation to Impose a Development Charges</p> <p>6.1. Development Charges Apply</p> <p>When the Municipal Planning Tribunal or Municipality (delegated authority) approves a land development application which will or may result in intensified land use with an increased demand for external municipal engineering services infrastructure, it may, by imposing a condition of approval, levy a development charge proportional to the calculated municipal public expenditure that has or may be incurred to satisfy the increased demand according to the normal need arising from such approval.</p> <p>6.2.5. Houses or rooms in houses converted to student rooms / communes - up to a total maximum of five bedrooms per erf will not trigger a Development Charges payment. Bedrooms beyond five will be charged per room under the “Student accommodation / Commune / Hostels” DC category.</p> <p>6.2.6. Houses or rooms in houses converted to guest houses - up to a total maximum of three bedrooms per erf will not trigger a Development Charges payment. Bedrooms beyond three will be charged per room under the “Guest House” DC category.</p> <p>Point 7 Calculating of Development Charges</p> <p>7.5. The basis upon which development charges will be determined i.t.o. electricity will be as per NRS 069: Code of practice for the recovery of capital costs for distribution network assets or in terms of any existing or future municipal policy relating to electricity DCs.</p> <p>7.8. No adjustment factor between 2021/22 and 2022/23 was approved by Council as the new the unit costs were recalculated from scratch. As an escalation factor is still required in some instances, for instance to escalate the value of work done in lieu of DCs over multiple financial years, this increase is hereby confirmed as 14.7415%.</p>

Policy/ By-law	Summarized Nature of change
	<p>Point 8 Adjustment for Actual Costs or Usage</p> <p>8.1.1. there are exceptional circumstances, as motivated by the developer and if accepted by the Council, justify such an increase or reduction. An exceptional circumstance will typically be in the event that it is discovered that a gross error has occurred in the determination of the development charges tariffs, or</p> <p>8.1.2. a particular land development significantly exceeds the size or impact thresholds set out in the applicable Development Charges tariff tables, or</p> <p>8.1.3. the usage of a particular land use varies significantly from the usage of the approved Development Charges tariff tables and of which the actual usage is motivated by a professional engineer and can be justified by means of recognised engineering guidelines and/or industry norms and standards or,</p> <p>8.1.4. where a development is situated outside the urban area, and it is not connected to or uses the bulk infrastructure allowed for in the Development Charge calculation, because it is providing its own bulk services (e.g. private borehole water supply and waste water package plant), then that portion of the Development Charge must be removed from the calculation, and the developer must pay for the installation of his own bulk infrastructure to the approval of the Engineer or,</p> <p>8.1.5. in the event of the Municipality discovering that an error has occurred in the determination of the development charges tariffs, or if there are justifiable reasons to review the tariffs, it may, by means of a council resolution, correct such error or review such tariffs.</p> <p>8.2. Where the Municipality adjusts the amount of the bulk services component of a development charge in terms of this section:</p> <p style="padding-left: 40px;">8.2.1 the developer is responsible for the costs of performing the calculation of such adjustment, which must be carried out by a registered professional civil engineer appointed by the developer with appropriate experience and expertise having regard to the nature and extent of the proposed land use; and</p> <p style="padding-left: 40px;">8.2.2. the actual cost must include, where applicable and without limitation, land costs, professional fees, materials, labour, the reasonable costs of construction and any tax liabilities: provided that all such costs would otherwise have been borne by the Municipality, in the provision and installation of the bulk services concerned</p> <p>Point 9 Installation of External Engineering Services Instead of the Payment of Development Services</p> <p>9.7 “Upon the “Developer” having complied with all the terms and conditions of an engineering services agreement the “Municipality” undertakes to value the total cost of “Municipal Services”, such valuation will be based on the payment certificates as certified by the professional Consulting Engineer.</p>

Policy/ By-law	Summarized Nature of change
	<p>The total value as per the final payment certificate of the project will be used to determine the total cost of “Municipal Services”. If the project has been completed in a previous financial year, the total completion value (as normally indicated on the final payment certificate) can be escalated to the year at which time DC payment is to be made. The escalation rate will be the same as the DC annual escalation as approved by council. The outstanding amount of development charges payable will be reduced by the value of such “Municipal Services”. The outstanding amount will be payable before a clearance certificate is issued by the Municipality, or before an occupation certificate is issued (where clearance certificate is not applicable) or by any stage as indicated by the Municipality in the approval conditions for that development.</p> <p>Point 12 Subsidies and Exemptions</p> <p>12.1. The Municipality may only subsidise a land development or category of land developments through reducing the development charge payable in respect thereof if it meets one or more of the following criteria:</p> <ul style="list-style-type: none"> • The land development must be for purposes of serving the community, conservation, educational, institutional or public purposes as defined in Schedule 2 to the SPLUMA. <p>12.2. Examples of land uses that qualify for automatic exemptions, are the following:</p> <ul style="list-style-type: none"> • All government subsidised housing programmes will be automatically exempt from DCs. These projects are approved by council as per the Housing pipeline prior to implementation and such approval should include financial commitments regarding the provision of bulk services for these projects. Such projects would also typically qualify for government grants to fund the upgrade of bulk infrastructure. It is thus not necessary for development charges if the provision of bulk services is to be funded by alternative funding sources. If any bulk upgrades are identified to accommodate the new development during land use approval, then the onus will be on Council to allocate the required funds to the budget as part of the project implementation. <p>12.3. Examples of land uses that may potentially qualify for subsidies, subject to council approval, are the following:</p> <ul style="list-style-type: none"> • Public schools, hospitals, clinics and other public infrastructure projects developed and funded by government which provides a service to especially the poorer communities may qualify for a potential subsidy. These projects will have a social and economic benefit to the communities and the Municipality in its whole and in so doing will alleviate some institutional and financial pressure on the Municipality in terms of providing social infrastructure and social development programmes.

Policy/ By-law	Summarized Nature of change
	<p>12.5. Applications and motivations for subsidies must be in writing and addressed to the Director: Infrastructure Services for evaluation, calculation of the applicable development charge as if it were payable, and submission of a recommendation to the Stellenbosch Municipal Council for consideration. Such submission must clearly indicate how the application meets the criteria of 12.1 and / or 12.3 above. Should the submission/motivation fail to prove that it meets these criteria, it will not be recommended to council for consideration.</p> <p>12.7. Before the Municipality grants an individual subsidy, it must:</p> <p style="padding-left: 40px;">12.7.1. ensure that the revenue to be forgone as a result of any subsidy approved by the Municipal Council is reflected in the Municipality's budget (Finance);</p> <p style="padding-left: 40px;">12.7.2. must provide for budgetary provision for the realisation of the revenue forgone to be made, from another realistically available source of revenue (Finance);</p> <p style="padding-left: 40px;">12.7.3. ensure that the monetary value of the subsidy, together with the amount of any other payment or payments received by the Municipality towards the capital costs of external engineering services for an approved land development, is at least equal to the development charge calculated in accordance with paragraph 12.4.1.</p> <p>Point 13 Special Arrangements</p> <p>13.3. Development Charges In lieu of Parking bays: If the development is located in an area where in the opinion of the Municipality the lack of sufficient on-site parking is currently causing problems, payment of Development Charges in lieu of providing parking bays will not be permitted. Some or all of the following criteria, at the sole discretion of the Municipality, must be met before a Development Charges payment in lieu of parking will be favourably considered:</p> <ul style="list-style-type: none"> • If located in the historical CDB core where buildings were historically approved with limited parking provision; <p>13.8. Where a development's Development Charges are utilised to upgrade a specific service in order to create the required capacity, and the Development Charges for that specific service category is not sufficient to cover the cost of the upgrade, the Director: Infrastructure Services, at his discretion, will determine if Development Charges from the other service categories can be utilized to cover the cost. Factors to be taken into consideration include the status of bulk services in the development area, the practicality and timing to secure alternative sources of funding, etc. The Community Facilities Development Charges must be ring fenced and not</p>

Policy/ By-law	Summarized Nature of change
	<p>utilised on engineering infrastructure.</p> <p>13.9. Where a service other than a bulk service needs to be modified/relocated in order to accommodate a development, and such modification/relocation is the municipality’s responsibility, but cannot be implemented by the municipality due to time and/or budget and/or operational constraints, such work may be offset from DCs. An example would be if a municipal service is located on private property, without a servitude, and such service needs to be relocated to allow building work.</p> <p>13.10. Where a change in land use leads to a lower impact than the original land use, and leads to a specific service being in a “credit” in terms of the DC for that service, such credit cannot be refunded, or be offset from the DCs of any of the other services. The reason for this is that the original impact has already been catered for in terms of bulk services, that expense does not fall away due to the lower impact of the changed land use. Furthermore, should the new land use in future change back to its original use, a DC will not be applicable, as it would be deemed that such DC had been paid when the original land use had been implemented.</p> <p>Example – a new 2 residential erf subdivision is approved – DCs are paid before subdivision clearance. Then afterwards, it is consolidated, no DC payable because impact on (say roads/trip generation is less for one erf than 2 erven.). Afterward, again subdivided into the original 2 erven – no DC is now payable because a DC was already paid when the 2 erven were originally subdivided.</p> <p>13.11. Outdoor Function / Picnic Areas: Where such an outdoor area is provided as an alternative seating space for the formal seating (GLA) in a restaurant/deli/tourist facility, in other words the outdoor area will not lead to additional guests, then DCs will not be applicable for the outdoor area. The total number of persons to be accommodated at any point in time at the establishment will then be limited to the capacity of the restaurant/deli/tourist facility, which must be stated in the application and in the application’s motivation. If, however the seating of an outdoor area is additional to the formal seating (GLA) in a restaurant/deli/tourist facility, then DCs will be charged for that outdoor area as well.</p>
<p>Accounting Policy</p>	<p><u>Accounting Policy 2024/25</u></p> <p>Substantial Changes</p> <p>Substantial changes were made to the Accounting Policy.</p> <p>The details of such amendments may be traced via the “Track Changes” that has been activated in said document.</p>

Policy/ By-law	Summarized Nature of change		
Financing of External Bodies Performing Municipal Functions Policy	<p><u>Financing of External Bodies Performing Municipal Functions Policy 2024/25</u></p> <p>Substantial Change</p> <p>The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p><i>Substantial Changes made to the Financing of External Bodies Performing Municipal Functions Policy are as follow:</i></p> <p>Point 4. OBLIGATIONS OF THE ORGANISATION/BODY</p> <p>4.4 The beneficiary undertakes to provide the Municipality with the details of a separate bank account to deposit the funds directly into such bank account.</p> <p>4.5 The beneficiary must ensure that the funds earn interest until such funds are used for the purpose it was approved.</p> <p>4.6 Funds that are not used for intended purpose, must be refunded to the Municipality with all interest accrued.</p> <p>4.7 The beneficiary must submit to the Municipality quarterly progress reports.</p> <p>Point 5. RIGHTS OF THE MUNICIPALITY, CONTROL AND MONITORING</p> <p>5.5.6 Submit quarterly records of funds allocated and its actual expenditure to the Municipality.</p>		
Ward Allocation Policy	<p><u>Ward Allocation Policy 2024-25</u></p> <p>Minor amendments the details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p><u>7. ROLE PLAYERS, ROLES AND RESPONSIBILITIES</u></p> <p><u>7.8. IDP Department</u></p> <table border="1" data-bbox="370 1507 1292 1854"> <tr> <td data-bbox="370 1507 652 1854">User department</td> <td data-bbox="659 1507 1292 1854"> Costing of projects. Completion of procurement plans and inclusion of ward projects in implementation planning for the year. Implementation of projects. Procurement of services. Arranging meetings with councillors to guide and explain process to follow. Communication between procured service provider, Ward Administrator and Ward Councillor. Signing off and submission of invoices. </td> </tr> </table>	User department	Costing of projects. Completion of procurement plans and inclusion of ward projects in implementation planning for the year. Implementation of projects. Procurement of services. Arranging meetings with councillors to guide and explain process to follow. Communication between procured service provider, Ward Administrator and Ward Councillor. Signing off and submission of invoices.
User department	Costing of projects. Completion of procurement plans and inclusion of ward projects in implementation planning for the year. Implementation of projects. Procurement of services. Arranging meetings with councillors to guide and explain process to follow. Communication between procured service provider, Ward Administrator and Ward Councillor. Signing off and submission of invoices.		

Policy/ By-law	Summarized Nature of change		
	<table border="1" data-bbox="370 224 1292 348"> <tr> <td data-bbox="370 224 651 348"></td> <td data-bbox="657 224 1292 348"> <p>Monthly reporting on overall departmental expenditure for ward projects. This reporting must also be provided to the Manager: Councillor Support.</p> </td> </tr> </table> <p><i>New sentenced added at the end of the paragraph</i></p> <p><u>8.CRITERIA FOR THE SELECTION OF PROJECTS</u></p> <p><i>New sentenced at the end of the paragraph</i></p> <p>(1) Projects may cross ward boundaries provided that the relevant ward councillors are in agreement on collaborative planning, funding and implementation of such projects. This agreement must be submitted formally in writing to the Manager: Councillor Support and approved at the ward committee meetings of the respective wards.</p> <p>8.15. In the case of projects undertaken on the operating budget:</p> <p>8.15.1 Adequate supervisory control shall be provided by the user directorate.</p> <p>8.15.2 Projects will be undertaken on council property, except in cases</p> <p style="padding-left: 40px;">8.15.2.2 A ward hosts a function or event at facilities that are not council owned - subject to adequate supervisory control provided by the relevant user directorate, or</p> <p style="padding-left: 40px;">8.15.2.3 A ward funds or supports a local government function (for example, additional law enforcement officers) that is not necessarily performed on council property.</p> <p style="padding-left: 40px;">8.15.2.4 All operational projects will comply with the requirements of National Treasury Circular 82 specifying requirements to be adhered to when providing catering as adopted by Stellenbosch council.</p> <p style="padding-left: 40px;">8.15.2.5 Community events aimed at vulnerable groups must contain an educational component that speaks to the strategic intent as identified by the Speaker.</p> <p>8.16 To contribute to maximum impact through meaningful legacy projects within communities, projects must be limited to two operational and two capital projects per ward, depending on whether capital projects are allowed for the respective financial year. (Except for wards consisting of mostly rural areas where council does not own property.)</p> <p>8.17 Ward councillors and / or ward committees are not allowed to cancel projects when official purchase orders have been issued for service providers to procure items / provide services as per the ward allocation programme for the respective ward. Should the ward councillor / ward committee cancel the project on the day of the implementation, and the service provider is able to provide proof of expenditure, then the ward councillor will be liable for the recovery of the expenses.</p>		<p>Monthly reporting on overall departmental expenditure for ward projects. This reporting must also be provided to the Manager: Councillor Support.</p>
	<p>Monthly reporting on overall departmental expenditure for ward projects. This reporting must also be provided to the Manager: Councillor Support.</p>		

Policy/ By-law	Summarized Nature of change
	<p>The request to cancel the project must be communicated in writing to both the Manager: Councillor Support and the Manager of the respective department where the implementation of the project / event is based. Reasons for the cancellation must be provided.</p> <p>13. DEVIATION FROM POLICY</p> <p>13.1. Deviation from the project selection criteria as listed in section Error! Reference source not found. above may be considered by the Municipal Manager on receipt of a written request from the Manager Councillor Support, supported by the User Directorate, detailing the motivation for such a deviation. The initial request for a deviation from the criteria listed must be received in writing from the ward councillor.</p>
Wayleave- Policy	<p><u>Wayleave Policy 2024/25</u></p> <p>Substantial Changes</p> <p>Major changes were made to the Wayleave- Policy. The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p><i>Point 1.1 Legal Context para 1 & 2</i></p> <p>In terms of Section 151 of the Constitution of the Republic of South Africa, 108 of 1996, a municipality has the right to govern on its own initiative, the local government affairs of its community, subject to national and provincial legislation.</p> <p>Section 156 of the Constitution grants the municipalities the right to administer the local government matters listed in Schedule 5B, which include municipal roads. A municipality may make by-laws for the effective administration of municipal roads</p> <p><i>Point 1.2 Need for Co-ordination Changes has been made from paragraph 1&4</i></p> <p>The collective value of infrastructure services contained within the public road reserve, the road itself and Municipal Lands amounts to a considerable value. This infrastructure needs to be maintained, periodically rehabilitated and replaced or upgraded from time to time. Such activities can result in considerable delays, inconvenience, danger and additional costs to the road users and Municipality if not well planned and coordinated. The potential damages that can be suffered by either party include:</p> <ul style="list-style-type: none"> • Damage to roads and other services; • Damage to vehicles; • Inconvenience to road users; • Reduction of the useful life of the road, footway or other services; and

Policy/ By-law	Summarized Nature of change
	<ul style="list-style-type: none"> • Time and social costs caused by delays. <p>It is imperative that permission is a prerequisite for all Work conducted in the public road reserves and in Municipal Lands for careful control and co-ordination of the Works to avoid disturbance to service delivery and public inconvenience. This responsibility resides with the Stellenbosch Municipality and its infrastructure services departments to continuously improve their capability to provide such service.</p> <p>As the custodian of all municipal road reserves, the Infrastructure Roads, Transportation and Stormwater Department to an initiative programme to establish the necessary co-ordination activities and policies regarding Work conducted in public road reserves. This wayleave policy document (this document) was the first deliverable of the programme. This initiative was later transferred to the Asset Management and Systems (Wayleaves) Unit. This document attempts to provide a basic framework for ensuring proper co-ordination and co-operation between the various departments as well as external parties who conduct Work in the public road reserves and Municipal Lands.</p> <p>The document was prepared with the aim to minimise and strive to eliminate any negative effect or disruptions to services installed in the public road reserves and on Municipal Lands as a consequence of uncoordinated and carefully controlled Works. This document covers the procedures to apply for, process and approve Wayleaves, procedures to follow for undertaking and completion of Work, as well as a reference to specifications according to which the Work must be done.</p> <p><i>Point 1.3 Establishing a Service Co-ordinator Paragraph 1</i></p> <ul style="list-style-type: none"> • Coordinate and regulate all Work carried out within the public road reserves and Municipal Lands; • Minimise the disturbance and damage to existing Services; • Reduce and prevent illegal works carried out in the road reserves and Municipal Lands; • Assist in protection and safe guarding of the municipality infrastructure assets. <p><i>Point 1.3 Paragraph 2</i></p> <p>In order to effectively implement and sustain such a function for a Service Co-ordinator and a Quality Control Engineer (collectively the Asset Management & Systems (Wayleaves) Section) are being established within The Stellenbosch Municipality. The four essential tasks that must be accomplished in the process of establishing the Service Co-ordinator and the Quality Control Engineer are:</p> <ul style="list-style-type: none"> • Establishing the necessary Council Policy in this regard (covered by this document);

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	<ul style="list-style-type: none"> • Establishing effective and simplistic procedures (covered by this document and detailed standard operating procedure); • Establishing effective Municipal Bylaws (in the process of formation); • Establishing an effective Organisational Structure (in the process of formation); and, • Proper record-keeping of each approval and work done on-site (active). <p>Point 1.4 Document Structure from Second Paragraph Section 1 – Introduction: This section aims to illustrate the need for coordination and responsibility of the wayleaves service coordination team. It further elaborates on the development approach adopted.</p> <p>Point 1.5 Supporting Documentation from the second paragraph</p> <ul style="list-style-type: none"> • Wayleave application form, • The General Wayleave Conditions. These general conditions may be amended by the Service Co-ordinator depending on the nature of the Work to be carried out, • Wayleave Work Permit or Approval letter, • Services Verification Meeting Record • Public Liability Insurance Checklist, • Tariffs as approved per financial year, • Certificate of Works Completion <p>Point 2. Definitions Minor Changes made from paragraph 2 until 4 & 12 &14 and 16&19</p> <p>Authorised Agent" means an agent who is authorised by the Service Co-ordinator to perform specified Services;</p> <p>Backfilling" refers to the replacement of the structural layers in the trench or excavation and may include the base, sub-base, selected subgrade and subgrade, but excludes the surfacing which is covered under 'Reinstatement';</p> <p>"Certificate of Works Completion" means the document issued by the Professional Engineer appointed by the Wayleave Holder as proof that Work in the public road reserves has been completed complies with the requirements and conditions of this document and that of the approved wayleave and issued to the Wayleave Holder;</p> <p>"Code" means the Policy (this document) for Work in the Public Road Reserve (PRR) and other Municipal Lands as approved by the Council and as agreed to by the Pa Lane Rentals" mean the rentals that are paid to the Service Co-ordinator by a Service Agent, excluding a Municipal Department, whose Work in the Public Road Reserve (PRR) results in time delay costs (TDC) being incurred by the users of the Public Road Reserve (PRR);</p>

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	<p>"Professional Engineer" means a person registered as a Professional Engineer/ Technologist in terms of the Engineering Professions Act, 2000, appointed and funded by the Wayleave Holder to ensure compliance with the requirements and Conditions of the Code and the Approved Wayleave. Appointment of such a person is required to control the Works wherever any excavation and overhead installations are involved.</p> <p>"Reinstatement" refers to replacement of the final layer in the case of roads, footways and verges and this may be the bituminous surfacing, paving blocks, concrete, grass, etc, as originally discover on the site or may be instructed in the Wayleave Approval.</p> <p>Routine Maintenance Work is defined as all types of Work involved in maintaining the services in the public road reserves and other Municipal Lands that does not require excavation, traffic control or reinstatement activities;</p> <p><i>Point 2. Definitions New Paragraphs 8 &10 and 11&13 and 15 &24</i></p> <p>"Emergency Work" is defined as any Work that is required to prevent or end a dangerous situation, to prevent or end an unplanned interruption in the supply of a Service, or to avoid any substantial losses. It is important to note that a lack of proper planning of Work to be carried out will not justify Emergency Work and such activities will be reasonably stopped by the Service Co-ordinator;</p> <p>"External" refer to anything not belonging to the Council as applicable in the context.</p> <p>"Illegal" refer to Works conducted without an approved Wayleave or without a valid authorisation from the Council.</p> <p>"Internal" refer to anything belonging to the Council as applicable in the context.</p> <p><i>"Non-compliance"</i> refers to any violation of the approved wayleave conditions and requirements as applicable.</p> <p><i>"Municipal Land"</i> any land that is owned or is under control of the Stellenbosch Municipality;</p> <p><i>Point 2. Definitions para 21 to 25 and 27 to 31 and 33</i></p> <p>Service means any structure or system installed by a Service Agent on or in the Public Road Reserve (PRR) and in a Municipal Land to provide service to the public or individuals;</p> <p>"Service Agent" means any Municipal Department, Public or Private Agent or utility that has, intends to install a Service in the Public Road Reserve (PRR) on in a Municipal Land;</p>

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	<p>"Service Co-ordinator" means the person or official or institutional body established by the respective department(s) with the sole responsibility to carry out the administrative functions of receiving and processing wayleaves applications, obtaining comments from the various internal Agents, and (following the decision by the Strategic Management Committee) conveying this decision in writing to the Applicant, namely to approve with conditions, or reject with reasons, any wayleave application, and to provide record-keeping of each application and installation;</p> <p>"Service-Sharing Installation" means utilisation (by one or more Service Agents) of the same existing or new ducting or pipelines installation or structure as support or protection of a service without to avoid and/ or the need for additional excavations or installation of a protection or supporting structure;</p> <p>"Wayleave" means the formal approval to carry out Work following certain conditions and requirements concerning planned and any existing services within the Public Road Reserve or Municipal Land. The wayleave approval must not be misconstrued as permission to build or install a structures or service or to plant or to connect a service.</p> <p>The onus is on the wayleave applicant or wayleave holder to ensure that he/ she attains all Council required permissions and approval prior to commencing with his/ her Works</p> <p>"Wayleave Applicant" means the individual or institution or organisation who has applied for a wayleave and has not received an approval;</p> <p>"Wayleave Holder" means the individual , institution or organisation who is in possession of an approved wayleave issued by the Service Co-ordinator;</p> <p>"Wayleave Work Approval Document" means the signed document/s issued by the Service Co-ordinator, detailing the Work which has been approved and the period during which the Work shall be carried out, and includes approved drawings/plans as applicable and, requirements Conditions of approval;</p> <p>"Work(s)" refers to any underground or overhead installation activities (irrespective of the size), including the activities provided for in Section 1 of this Code, carried out within the Public Road Reserve and Municipal Land.</p> <p>Point 3. Policy Overview <i>Minor Changes has been made from point 3.1.1.1 until 3.1.3</i></p> <p><i>Substantial changes as follow from 3.1.4.1</i></p> <p>3.1.4 The approval of a Wayleave means that:</p> <p style="padding-left: 40px;">3.1.4.1 The Wayleave Holder has permission to:</p> <p style="padding-left: 80px;">3.1.4.1.1 Conduct excavations in the Public Road Reserve</p>

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	<p>3.1.4.1.2 With attainment of relevant approvals and permissions from other departments as relevant and applicable; Place a new service, upgrade or maintain an existing underground or overhead service within the Public Road Reserve or Municipal Land, under specific requirements and conditions as stipulated in the wayleave;</p> <p>3.1.4.1.3 Obtain approval from the relevant department(s) to conduct vehicular and pedestrian control in the Public Road Reserve and in Municipal Land as applicable; and,</p> <p>3.1.4.1.4 Conduct excavation Reinstatement Works on the road, walkways, road reserve and other areas as applicable.</p> <p>3.1.4.2 The Council intends to protect and safeguard all of its infrastructure assets/ services and other services belonging to external service providers, install within the road reserves and Municipal Lands. However, the Council does not take responsibility and cannot be held liable for any disturbance and/ or damages to the other services belonging to external/ other service providers.</p> <p>3.1.4.3 For any External Services installed within the road reserve and in Municipal Land, any cost associated with temporary works, removal, relocating or upgrading these Service due to Council's or External projects such as developments, upgrades, rehabilitations, etc, those costs remains with the installed Service owner.</p> <p>3.1.4.4 All associated costs for temporary works, removal, relocating or upgrading of a Service owned by the Council must be included in the project cost.</p> <p>Point 3.2 Planning Work Time Schedules <i>Minor changes has been to paragraph 3.2.1.1 & 3.2.1.2 & 3.2.1.5</i></p> <p>Point 3.3 Basic Wayleave Procedures</p> <p>3.3.1 The basic procedure that is required for Work in the public road reserves and in Municipal Land is as follows:</p> <p>3.3.1.1 Permission to work in the public road reserves and/ or in Municipal Land must be obtained from the Service Co-ordinator through a formal Wayleave application in the form of a letter describing the Work to be done with details and design drawings/plans.</p> <p>3.3.1.2 The Wayleave Applicant must first obtain Service plans, indicating the positions of existing Services from the Service Agents / Owners identified by the Service Co-Ordinator, where available. The Service plans must indicate the positions and type of Services in the area where Work will be undertaken. It</p>

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	<p>may be necessary for the Applicant to carry out certain preliminary Work in order to determine precise positions and dimensions of any existing services which are not clear from the Service Plans which have been consulted.</p> <p>3.3.1.3 The Service Co-ordinator shall arrange a Services Verification Meeting on behalf of the Wayleave Applicant to meet up with the necessary Service Owner or Agents. This will help facilitate the process mentioned in 3.3.1.2. The Service Co-ordinator shall only arrange a Services Verification Meeting once the Wayleave Applicant is in good standing in terms of any compliance with the Stellenbosch Municipality.</p> <p>3.3.1.4 In the Services Verification Meeting, the Wayleave Applicant and the Service Co-ordinator shall ensure that the control section on the Services Verification Report form is signed by each Service Agent, indicating that in principle whether there are no objections to the issuing of the Wayleave to the applicant, where there is an objection then detailed reasons and motivations for such objection must be given. This approval will be subject to technical compliance with the standards of the Service Agents involved as well as compliance with the standards of Stellenbosch Municipality and the Work planned by the Council within the area under consideration.</p> <p>3.3.1.5 Once the Services Verification Report section has been completed by all the Service Agents, the application must be made for the issuing of a Wayleave Work Permit in accordance with the procedure set out in this document. No Work in the public road reserves may commence before a Wayleave has been approved and issued to the applicant.</p> <p>3.3.1.6 The Service Co-ordinator, in consultation with the Quality Control Engineer, will review the Wayleave application and prepare a report on the application, with recommendations.</p> <p>3.3.1.7 The Service Co-ordinator shall submit the report to the Manager: Asset Management and Systems detailing the application, the various Service Agents consulted, their comments received, confirmation of payment of the processing fees and the relevant, and confirmation of the appointment by the Applicant of a Professional Engineer or Technologist if any excavation is involved in the proposed Works, and after consultation with the Quality Control Engineer, the proposed decision, with conditions to be imposed upon approval, or the for refusal.</p> <p>3.3.1.8 Once approved, the decision to approve with conditions, or to refuse with reasons, shall be forwarded by the Service Co-ordinator to the Applicant. In the case of approval, the documents forwarded to the Applicant will indicate approval of the application and the conditions under which the approval is given, the signed approved plans, signed Site Services Verification Record from and the signed Wayleave Work Permit. The applicant will be required to acknowledge receipt and understanding of the approved wayleave with</p>

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	<p>stated requirements and condition, by signing and returning the signed copy of the approved wayleave</p> <p>3.3.1.10 The Work must be carried out according to this Policy and relevant support documents where applicable.</p> <p>3.3.1.11 The Wayleave Work Permit and the Service plans of the Service Agents must be kept on-site while the Work is in progress.</p> <p>3.3.1.12 Additional copies of the Wayleave Work Permit and approval documents may be obtained from the Service Co-ordinator if the Wayleave is applicable to more than one Work area or Work team.</p> <p>3.3.1.13 Work will be stopped if the approved Wayleave Work Permit and relevant supporting documents are not available during inspections on-site or if any of the Wayleave Conditions are not being adhered to. Work will be stopped until the required documents are available on-site.</p> <p>3.3.1.14 Failure to comply with the approved Wayleave Conditions may negatively impact future wayleave applications of the same applicant. This may include penalising and withholding wayleave approval of the applicant until the non-compliance has been rectified.</p> <p>3.3.1.15 On completion of the Work, all trenches and excavations in the public road reserves must be Backfilled and Reinstated according to the specifications of the Quality Control Engineer, referred to by this document or as specified in the approved wayleave conditions.</p> <p>3.3.1.16 On completion of the Work and permanent Reinstatement, a Certificate of Completion signed by the Wayleave Holder's Professional Engineer must be sent to the Service Co-ordinator by the Wayleave Holder.</p> <p>3.3.1.17 The Quality Control Engineer must review the Completion Certificate as well as carry out an inspection of the site after receiving the Completion Certificate and sign the certificate confirming that all conditions have been met.</p> <p>3.3.1.18 The applicable guarantee period will be stated in the letter of approval/ conditions (usually 12 months).</p> <p>3.3.1.19 Work performed under an approved Wayleave can only be performed in normal working hours (Mondays – Thursdays 08:00-17:00 and Fridays 08:00-15h00). Working after hours, on public holidays or on the weekend is not permitted without authorisation from the Service Co-ordinator and other involved departments, except for cases of Emergency Work. Any unauthorised work performed outside of business hours will attract a penalty as per the approved Municipal Tariffs. This penalty will apply and must be settled before</p>

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	<p>any new applications will be accepted from the Applicant who violated this requirement.</p> <p>3.3.1.20 Where work in the road reserve has been performed without an approved wayleave, the penalty as per the approved Municipal Tariffs will apply. This penalty will apply and must be settled before any new applications may be accepted from the Applicant who is guilty of this violation.</p> <p>3.3.2.2 This Code applies to all individuals and organisations who conducts Work in the public road reserves and on the municipal land,, this includes Internal Departments, External organisations, Service Agents and contractors.</p> <p>Point 3.4 Work in Public Roads Reserve</p> <p>3.4.3 The types of Work for which prior wayleave approval from Service Co-ordinators can be waived are Works deemed to be Emergency Work and must be undertaken according to the procedures set out in Section 3.17. However, the Applicant who will carry out the Works is required to contact, inform and attain approval (verbal/ written) from the Councils' Service Agents from the operations department as listed in Service Verification Record form. The Applicant is required to complete this form and attain all the required signatures prior or after he/ she is granted approval by the Internal Services Agent and return the completed form to the Service Co-ordinator to finalise the wayleave application.</p> <p>3.4.4 The types of Work that do not include any construction or installation Work are deemed Routine.</p> <p>3.4.5 Maintenance Work must be executed according to the procedures set out in section 3.3 in this document</p> <p>Point 3.5 Wayleave</p> <p>3.5.1 Work in the public road reserves and in Municipal Lands are controlled by a Wayleave. A Wayleave is simply permission to work at a specified time in a specified area in the public road reserves in accordance with the approved wayleave conditions and requirements. The wayleave must not be misconstrued as permission to build or install a structures or services or to plant or to connect a service. The onus is on the wayleave applicant or wayleave holder to ensure that he/ she attains all Council required permissions and approvals prior to commencement with his/ her Works applied for in the wayleave.</p> <p>3.5.2 A Wayleave Application may be submitted for a small or large project that covers Work in any part of the Municipal Area, provided that the position and expected start/end dates of all Work in the public road reserves or Municipal Land are adequately described under the description of the Work to be done.</p>

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	<p>3.5.3 General conditions are stated on the Wayleave approval and may include, but are not restricted to, the following:</p> <p>3.5.3.1 Description of Work to be done;</p> <p>3.5.3.2 Timeframe within which the Work must be done and validity period of the approved wayleave;</p> <p>3.5.3.3 Location of Work to be done. (Provision can be made for big projects with multiple locations. The scope of big projects must be limited to manageable portions from the Wayleave perspective. The Service Co-ordinator/ Quality Control Engineer will be able to direct project managers in this regard;</p> <p>3.5.5.1 A traffic control plan showing how vehicular and pedestrian traffic will be accommodated during the execution of the Works in the public road reserves, where applicable.</p> <p>3.5.5.2 Digital copies of the design drawing/plans showing details of the proposed Work.</p> <p>3.5.5.3 Subject to 3.5.7 below, proof of payment of the required processing and inspection fee(s).</p> <p>3.5.5.4 Proof of appointment of Professional Engineer or Technologist appointed to monitor the construction and Reinstatement and to provide a Completion Certificate once completed.</p> <p>3.5.5.5 Proof of valid, appropriate and sufficient public liability insurance and indemnity insurance.</p> <p>3.5.6.5 The location of all other Services in the public road reserves in relation to the proposed services to be installed. Services are located by obtaining information from the Service Agents within the Council and by doing cross-cuts where required. The use of cross cuts, as explained in paragraph 3.14, is strongly recommended.</p> <p>3.5.7 When the Wayleave Applicant is an Internal Council Department, then the Wayleave Applicant or Wayleave Holder is responsible and shall provide a written assurance that they will be responsible for obtaining the deposit or proof of sureties (see 3.5.5.3) and the appointment, either internally or externally, of a suitably qualified engineer to supervise the project (see 3.5.5.4) that are required to protect the Council's interests.</p> <p>3.5.8 The application for a wayleave must be submitted timeously to ensure that the wayleave can be issued before the work is programmed to start. work being carried out in the public road reserve or on municipal land without a wayleave must</p>

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	<p>be reported to the service co-ordinator and will be stopped by the council official on site. A copy of the Wayleave Work Permit and other supporting documents as defined must therefore always be on site when Work is being done in the public road reserves and on Municipal Land.</p> <p>3.5.9 The Service Co-ordinator will strive to limit the duration of the application review approval process to thirty (30) working days.</p> <p>3.5.10 The Wayleave Holder accepts full responsibility for all costs (Refer to Section 3.10) associated with and resulting from the Work carried out in the public road reserves.</p> <p>3.5.11 Only Work described in the Wayleave Work Permit may be executed. If the conditions on-site necessitate a deviation from the planned Work, the Service Co-ordinator must be informed before any work is done. These deviations may be in relation to the placement of the Service or the timing of the Works. The Service Co-ordinator may inform the Wayleave Holder of additional approvals that must be obtained from the Service Agents affected by the deviation as well as further requirements in terms of drawings and specifications. Work will only be allowed to continue once the Service Co-ordinator is satisfied that all the additional requirements have been met.</p> <p><i>Point 3.6 Existing Services and Planned Services</i></p> <p>3.6.1 The Wayleave Applicant must submit Service drawings indicating the position of all Services in the area of Work with the Wayleave application form. This information is obtained from the relevant Service Agents.</p> <p>3.6.2 Service Agents may require additional precautions relating to Work in the vicinity of their Services and must specify these in writing to the Wayleave Applicant and included in the approved wayleave conditions.</p> <p>3.6.3 As part of the Undertaking/Indemnity on the Wayleave application form, the Applicant has to confirm that the necessary information has been obtained from the Service Agents and undertakes to adhere to the additional conditions laid down by the various Service Agents. The control section on the Wayleave application form, signed by the Service Agents, will serve as proof that the Internal Service Agents approved that a Wayleave Work Permit may be issued.</p> <p>3.6.4 The Wayleave Applicant will verify with all Internal Service Agents whether future Work is planned for the area indicated in the Wayleave application. Such planned Work may dictate whether a Wayleave is approved and the conditions under which a Wayleave is approved. The planning horizon will depend on the planned life of the new Service as well as the Council's five-year Work plan</p>

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	<p><i>Point 3.10 Costs and Tariffs</i></p> <p>3.10.1 Administration, Supervision, Non-compliance and Illegal Works Tariffs</p> <p>3.10.1.2 The administration and supervision fees cover the Council's costs for Work done by the Service Co-ordinator to process the Wayleave application and for regular site inspection to ensure compliance and attending to related queries from the Wayleave Holder.</p> <p>3.10.1.3The non-compliance Tariffs will be issued to the Wayleave Holder as applicable should Wayleave Holder deviate from the conditions and requirements of the approved wayleave.</p> <p>3.10.1.4The illegal Works Tariffs will be issued to any individual or organisation or Wayleave Holder as applicable should he/ she be found conducting Works in the road reserve or on Municipal Land without an approved wayleave or permission</p> <p><i>Point 3.10.2 Public Liability Insurance</i></p> <p>3.10.2.4The Council requires that the Wayleave Holder engage in the implementation of the Work in the road reserve and on Municipal Land must be in possession of an appropriate, valid and sufficient public liability insurance. It is an express condition of the Wayleave Holder indemnifies and holds the Council harmless against any claims, demands or losses incurred as a result of any work performed as applied for and approved the Wayleave</p> <p>3.10.2.5 Should the Wayleave Holder damage or leave any of the Council's Infrastructure Services unsafe and fail to notify the Council and rectify it timeously, the Council may rectify the damage using its own resources and materials, and the subsequent costs will be borne by the Wayleave Holder.</p> <p><i>Point 3.10.3 Reinstatement Cost</i></p> <p>3.10.3.1The total cost of the permanent Reinstatement on the site of the installation in terms of the Wayleave Approval/Work Permit will be borne by the Wayleave Holder.</p> <p>3.10.4.1.4Costs claimed by the Council's Municipal Traffic from external Service Agents for loss in revenue due to disestablished parking bays;</p> <p>3.10.4.1.6Services rendered by the Service Co-ordinator in completing Work or altering Work to conform to Wayleave specifications; and</p> <p>3.10.4.1.8 Any penalties or tariffs for Non-compliance and Illegal Works in terms of the Municipal tariffs (See Tariff) and as stated in this document.</p>

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	<p data-bbox="370 226 699 254"><i>Point 3.11 Traffic Control</i></p> <p data-bbox="370 296 1360 401">3.11.3 The Service Co-ordinator can request that a traffic management plan be submitted Manager: Transport, Roads and Stormwater for approval. Any such Approved Traffic Management Plan shall be kept available on site</p> <p data-bbox="370 443 894 470"><i>3.14 Preliminary Works and Cross -Cuts</i></p> <p data-bbox="370 512 1360 653">3.14.1 In respect of all preliminary Work requested by the Service Agents and cross- cuts, the specifications from the relevant Service sAgents and in this document must be adhered to before Work will be allowed to start. Such requests include inter alia that:</p> <p data-bbox="370 659 1360 764">3.14.1.2The Service Co-ordinator and the contact person of each Service Agent involved must be informed 48 hours prior to commencing with the Work by the Wayleave Holder.</p> <p data-bbox="370 806 1360 869">3.14.1.3Alternatively, notice periods specified by the Service Agents must be adhered to.</p> <p data-bbox="370 911 737 938"><i>Point 3.17 Emergency Work</i></p> <p data-bbox="370 980 1360 1085">3.17.2 A categorised list of Emergency Work will be maintained by the Service Co-ordinator. It will serve as a guideline for Service Agents as well as the Service Co-ordinator in determining whether Work is an Emergency.</p> <p data-bbox="370 1127 1360 1232">3.17.3 The Service Co-ordinator will provide an emergency number for the use of Service Agents that requires information on the position of Services in the area where Emergency Work is to be carried out.</p> <p data-bbox="370 1274 1360 1562">3.17.4 The Service Co-ordinator must be notified in writing within one working day from commencing with Emergency Work and an Emergency Wayleave application submitted timeously. The Emergency Wayleave application option and process must be used and followed as state in the Wayleave application form. The Emergency notification document can be obtained from the Service Co-ordinator. If the Service Co-ordinator is not notified within 24 hours from the first working since the time the Emergency Work was discover, this work may be regarded as Illegal and penalised as applicable in the approved Council Tariffs.</p> <p data-bbox="370 1604 1360 1709">3.17.5 The emergency notification must always be certified by an Authorised Agent of the Service Agent as an emergency situation that requires their immediate attention.</p>

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<p>Policy and Procedures for Ward Committees</p>	<p><i>Point 3.18 Routine Maintenance Work</i></p> <p>3.18.2 A categorised list of Routine Maintenance Work will be maintained by the Service Co-ordinator. It will serve as a guideline for Service Agents as well as the Service Co-ordinator in determining whether Work is Routine Maintenance Work.</p> <p><i>Point 3.20 Certificate of Completion</i></p> <p>3.20.1 On completion of the Work, the Professional Engineer appointed by the Wayleave Holder must furnish the Service Co-ordinator as soon as practical, with the Completion Certificate with information as maybe required by the Council to know the exact location and condition of the Service install in/ on its land. The Quality Control Engineer will then set up a site meeting with the Wayleave Holder to carry out an inspection and will sign off the Certificate of Completion if all requirements have been met. The 12-month guarantee period for Reinstatements by the Wayleave Holder then commences.</p> <p><u>Ward Committee Policy 2024/25</u></p> <p><u>Substantial Changes</u></p> <p>Major changes were made to the Ward Committee Policy. The details of such may be traced via the “Track Changes” that has been activated in said document.</p> <p>Amendments and inputs were made by the Department of Local Government, Directorate: Public Participation in line with the Municipal Structures Act, the Speaker’s Office and Manager: Councillor Support.</p> <p><u>The substantial changes are as follow:</u></p> <p>9. Voting</p> <ol style="list-style-type: none"> (1) Each community member present may cast one vote for one nominee residing in his/her geographical area. (2) Voting will be by ballot paper unless 75% or more of the voters decide to vote by show of hands. This may be determined for the meeting as a whole or for each geographical area separately. (3) Where voting is done by show of hands, the nominees for each geographical area must leave the hall for the duration of the election with respect to that geographical area. Informed by previous experiences, the Municipality is kindly advised to use secret ballot in order to avoid any disruptions and intimidation tactics we experienced in the past. (4) The ward councillor may vote for a nominee in his/her geographical area.

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	<p>(5) The ward councillor may not, before or during the election meeting, influence or campaign for the election of ward committee members</p> <p>Election (voting) process at election venues</p> <p>9.1 The elections will be conducted in accordance with the election (voting) process.</p> <p>9.2 Only registered voters, whose names appear on the voters' roll of the Ward, where election of a particular Ward Committee are conducted will be eligible to participate in the elections of the particular Ward Committee.</p> <p>9.3 A registered person can only vote for one organisation/sector and/ one geographical block representative during the election process of a particular Ward Committee.</p> <p>9.4 A minimum of not less than 2 (two) organisations/sectors to be elected as members of a particular ward committee whilst the balance must be elected from geographical blocks.</p> <p>9.5 The ratio between organisations/sectors and geographical block representation, also taking into consideration 9.4 above, will be determined by the newly elected Ward Councillor, in consultation with the appointed election officer, taking into consideration the nominations received for the particular ward, upon finalising the list of nominations.</p> <p>12. Termination of membership</p> <p>The membership of a ward committee member will be terminated if that member:</p> <p>(a) resigns in writing;</p> <p>(b) is no longer qualified, in terms of clause 6 above, to be a member of a ward committee;</p> <p>(c) is removed from office by the Speaker in terms of clause 13; or</p> <p>(d) dies;</p> <p>(e) Relocates to another ward.</p> <p>13. Removal from office</p> <p>The Municipal Council may remove a member of a ward committee from office, after consideration of the Speakers recommendation to Council, based on an internal investigation by the office of the Speaker.Said internal investigation must be based on the "Audi Alteram Partem" rule. Grounds for removal as follows: Municipal Council, upon recommendation by the Speaker, can remove a member of a ward committee from office if that member:</p>

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	<p>(a) fails to attend three consecutive meetings without obtaining leave of absence from the ward committee;</p> <p>(b) deliberately fails to adhere to meeting procedures or is guilty of gross misconduct during ward committee meetings;</p> <p>(c) is involved in proven and malicious activities undertaken solely to undermine the authority of the Council or the ward councillor; or</p> <p>(d) is engaged in corruption or deliberately fails to disclose a material conflict of interest.</p> <p>14. Filling of vacancies</p> <p>(1) The Speaker must fill the vacancy by declaring elected the person who received the second highest number of votes in the geographical area concerned during the election held in terms of clause 8.</p> <p>(2) If nobody can be declared elected in terms of sub-clause (1) above, the ward committee may, by means of an information campaign in the relevant geographical area, call for qualifying nominations from that area, consider the nominations received and by a majority vote of the members present, fill the vacancy through a process of co-option.</p> <p>(3) The intention to fill a vacancy through a process of co-option must be placed on the ward committee's agenda beforehand, and the agenda must be circulated to members at least seven days before the meeting.</p> <p>(4) The geographical area representation of the member who vacated his/her position must be taken into account when filling a vacancy.</p> <p>(5) A person co-opted as a ward committee member must comply with the criteria stipulated in clause 6 above.</p> <p>(6) The ward committee vacant post will be filled within a month after the vacancy has occurred.</p> <p>15. The role of the Speaker The Speaker:</p> <ol style="list-style-type: none"> 1. Must ensure effectiveness and functionality of ward committees and other public participation processes in terms of section 37(k) of the Municipal Structures Amendment Act (2021); 2. Must ensure that ward committees are established within hundred and twenty (120) days after the election of municipal councils in line with The hundred and twenty (120) days are calculated from the day on which the Independent Electoral Commission (IEC) declares the results of the Local Government Elections; 3. If the Municipality fails to establish ward committees, the Speaker

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	<p>must write a letter to the MEC for Local Government requesting extension. The MEC is required in terms of section 73 of the amended Structures Act to reply and indicate whether the extension has been granted or not within fourteen (14) days.</p> <ol style="list-style-type: none"> 4. is the patron/custodian of ward committees; 5. must ensure that ward participatory structures are established in line with the set guidelines and applicable legislation; 6. must in collaboration with ward councillors regulate and monitor the frequency of ward committee and community report-back meetings; 7. must through his/her office ensure functionality of ward committees; 8. must ensure that the local government environment is conducive to active citizen participation in governance at local level; 9. must ensure ongoing training and capacity building programmes; and 10. must set deadlines for submission of ward committee reports. <p>20. Purpose of ward committee meeting</p> <ol style="list-style-type: none"> (1) The purpose of ward committee meetings is: <ol style="list-style-type: none"> (a) For ward committee members to raise, formulate and table matters affecting the ward or geographical area / sector (b) for the ward councillor to report on: <ol style="list-style-type: none"> (i) matters decided by the Council; and (ii) initiatives, information, campaigns and programmes of the Council; (c) to discuss complaints received by ward committee members on municipal service delivery in the ward; and (d) to formulate views and action plans on the above matters. (2) Number of meetings <ol style="list-style-type: none"> (a) at least two ward committee meetings per quarter; and (b) two (2) public meetings per calendar year with one meeting during the first half of the year and the other during the second half of the year. <p>25. Budget</p> <ol style="list-style-type: none"> (1) Members of ward committees will be reimbursed for out-of-pocket expenses as contemplated in clause 25(2)(a) - (e) below. (2) The Municipality will annually budget for a stipend of R500? per month per ward committee member subject to

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	<p>the following:</p> <ul style="list-style-type: none"> (a) attending of meetings as per the ward committee schedule of meetings; (b) performing of functions as contemplated in clause 16 above; (c) the maximum reimbursement of R 1 500.00? can be paid at the end of each quarter after verification (meaning in the first two weeks of the new quarter) to ward committee members in person and not to organisations that she or he represents (For eg, this means that payment for the quarter October – December of the particular year will be made during the first two weeks of January of the next year). The amount payable is dependent on the attendance of ward meetings by the respective ward committee member. The payment will be done after the completion of the entire verification process. (d) that reimbursements only be paid on verification of attendance register of meetings and that reimbursements will only be electronically transferred to the bank account of the relevant ward committee member(s); (e) that non-attendance of ward committee meetings and/or non-performance of functions as stipulated in clause 16 above without a valid reason be reported to the Speaker; (f) ward committee members will only be paid for attendance of meetings after the proper verification. Failure to attend meetings will result in no payment; (g) that ward committee members may elect not to be reimbursed. This confirmation must be submitted in writing on a quarterly basis by the respective ward committee member who chooses not to be reimbursed. <p>27. Dispute resolution</p> <p>The following mechanisms are recommended when disputes arise within ward committees:</p> <ul style="list-style-type: none"> (a) every effort should be made to deal with disputes; (b) when a dispute arises, the ward councillor should notify the Speakers office, after which the Speaker must attempt to resolve the dispute through a process of mediation. <p>if the attempt at mediation fails,the Speaker may choose to arbitrate or appoint an independent arbitrator to facilitate the process.</p>

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	(c) if the majority of the members of the ward committee remain aggrieved, the matter should be brought to the attention of Council -via office of the Speaker whereafter Council must make final resolution. This should be avoided as far as possible.