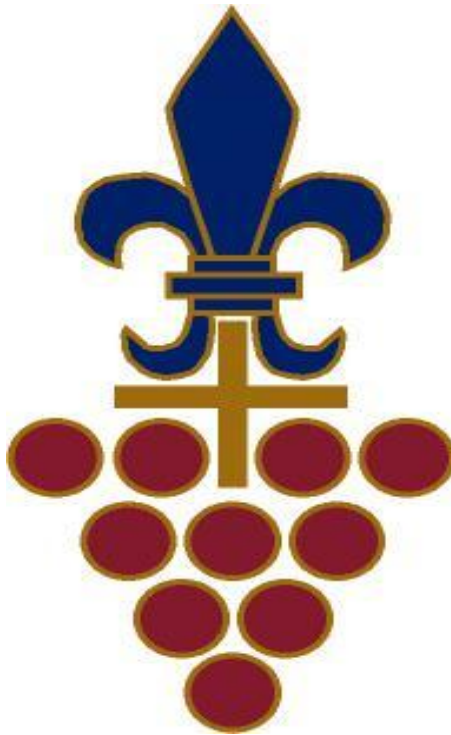


# **APPENDIX 4**

## **STELLENBOSCH MUNICIPALITY**



### **SUMMARY OF CHANGES TO BUDGET AND RELATED POLICIES**

**2026/2027**



# STELLENBOSCH MUNICIPALITY

## SUMMARY OF POLICIES

| Policy/ By-law                                                                                                                                                   | Summarized Nature of change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>The below amendments were done after the completion of the IDP and Budget participation process/ roadshow and emanated from inputs and comments received:</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>Development Charges Policy</b></p>                                                                                                                         | <p><b><u>Development Charges Policy 2026/2027</u></b></p> <p>Various aspects of the 2026/2027 Development Charges Policy were modified to include changes that enhanced or fine-tuned the application of the current policy based on inputs and comments received during the IDP and budget public participation process/ roadshow.</p> <p>Minor grammatical corrections, language changes and document layout improvements applied to enhance the readability of the policy.</p> <p><b><u>Substantial Changes – The Policy</u></b></p> <p>The list below demonstrates such changes and serves the purpose to highlight the changes</p> <p><b>Definitions (page 3)</b></p> <p>1.7 'credit/s' means a non-cash allowance, reduction or set-off granted by the Municipality, in its sole and absolute discretion, to a developer or applicant in respect of development charges payable for a specific erf and/or land, arising from development charges previously paid in respect of such erf and/or land, or existing permanent, lawful buildings on such erf and/or land whose service demand has already been absorbed into the bulk service networks, which credit shall not constitute a cash payment, refund and/or reimbursement, and which shall only be applicable to the same erf and/or land in respect of which it is granted and shall not be utilised and/or set off in respect of and/or applied to or transferred to any other erf and/or land;</p> |

| Policy/ By-law | Summarized Nature of change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                | <p>1.25 'off-set' means a reduction granted and/or applied, in the sole and absolute discretion of the Municipality, against development charges payable in respect of a specific erf and/or land, arising from the fair and reasonable cost of external engineering services or other infrastructure installed or work performed by the developer in lieu of payment of development charges, to the satisfaction of and as determined by the Municipality, which off-set shall only be applicable to the same erf and/or land in respect of which it is granted and shall not be utilised and/or set off in respect of and/or applied to or transferred to any other erf and/or land;</p> <p><b>13. SPECIAL ARRANGEMENTS</b> (pages 24 to 27)</p> <p><b>13.6</b> Page 25 – Handling of properties with historical land use rights: If a property (especially business and industrial zoned property) has an existing zoning right, it does not necessarily mean that DCs have been paid on the full development potential of the property when such zoning was approved. As such, when a developer/applicant unlocks the full or further development potential on property with historical land use rights (including instances where only submission of an application for land development in the form of a building plan application is required) development charges will be levied based on the increased demand or reasonably expected increased demand on existing and planned engineering services capacity. A DC credit can only be granted if a DC for a specific development or building has been paid in the past, or if there are existing permanent, legal buildings (has building plan approval) on the site which service demand has already been absorbed into the bulk service networks. Otherwise there is no justification for granting such a credit. The onus to prove that DCs have been paid is on the developer/applicant. DC's will be payable before building plan approval.</p> <p><b>13.11</b> Outdoor Function / Picnic Areas: Where such an outdoor area is provided as an alternative seating space for the formal seating (Gross Leasable Area - 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</p> |

| Policy/ By-law       | Summarized Nature of change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                      | <p data-bbox="355 241 1391 369">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 data-bbox="319 427 614 461"><b>13.13</b> (pages 26 to 27)</p> <p data-bbox="336 517 1391 801">A municipality must establish a committee of at least four members, comprising of municipal officials from the infrastructure- (2 members), spatial planning and finance department, to assess whether an application meets the qualification criteria for a credit or offset as stipulated below and to furnish their recommendation to the Director: Infrastructure Services for a final decision to grant or decline the application.</p> <p data-bbox="336 857 1391 985">a)Whether the development is in an area that is considered a priority development area (a functional area defined and mapped as a spatial category for investment planning derived from the Municipal Spatial Development Framework “MSDF”)</p> <p data-bbox="336 1041 1391 1126">c)Whether the development is located within the municipal urban edge and has been designated for urban development.</p> <p data-bbox="316 1182 1391 1310">Any credits or off-set will only be applicable to the same erf and/or land parcel in respect of which the credit or off-set was granted and cannot be utilised and/or set off in respect of and/or applied or transferred to a different erf or land parcel.</p> <p data-bbox="316 1366 1391 1601">Any such credits or reimbursement will expire within a period of 3 years of having been granted or from becoming due to the developer. The 3 years shall commence when the Section 28 clearance (subdivision clearance) has been given. Where this clearance is not applicable, the commencement date shall be determined when the application is being assessed and will be communicated in writing to the applicant.</p> |
| <b>Tariff Policy</b> | <p data-bbox="316 1713 598 1747"><b>Tariff Policy 2026/27</b></p> <p data-bbox="316 1803 1364 1982">Various aspects of the 2026/2027 Tariff Policy were modified to include changes that enhanced or fine-tuned the application of the current policy based on inputs and comments received from Department of Cooperative Governance and Traditional Affairs (COGTA) as per attached Annexure A.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Policy/ By-law | Summarized Nature of change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                | <p data-bbox="316 273 790 309"><b><u>Substantial Changes – The Policy</u></b></p> <p data-bbox="316 360 1342 445">The list below demonstrates such changes and serves the purpose to highlight the changes:</p> <p data-bbox="316 499 1270 535"><b>5. CALCULATION OF TARIFFS FOR MAJOR SERVICES</b> (pages 4- 10)</p> <p data-bbox="316 586 544 622"><b>5.1 Water Tariffs</b></p> <p data-bbox="375 674 1032 710"><b>(g) Tariffs for Municipal Building and Leakages:</b></p> <p data-bbox="375 761 1385 896">Different tariffs may apply to Municipal buildings and leakages in respect of all other consumers such as Domestic, Business, Miscellaneous, Commercial or Industrial consumers.</p> <p data-bbox="375 949 718 985"><b>(j) Treated Effluent Water</b></p> <p data-bbox="375 1037 1273 1122">Different tariffs may be applied. The applicability of such fee shall be determined by the relevant directorate.</p> <p data-bbox="316 1176 603 1211"><b>5.2 Electricity Tariffs</b></p> <p data-bbox="375 1263 738 1299"><b>(a) Domestic Lifeline (PP):</b></p> <p data-bbox="375 1350 1386 1588">Domestic Lifeline Tariffs will apply to prepaid Indigent consumers in order to promote the affordability of the service. A fixed monthly charge will not be applied to this category of consumers. The free units applicable to Indigent consumers will be specified in the Tariff Schedule as approved by Stellenbosch Municipal Council.</p> <p data-bbox="375 1603 732 1639"><b>(h) Municipal energy rate:</b></p> <p data-bbox="375 1659 1386 1776">Municipal energy rate tariffs will apply, in various service charge types, for municipal consumption for street and traffic lights and for municipal buildings. A fixed monthly charge may be applied to this category of consumers.</p> <p data-bbox="375 1814 1026 1850"><b>(i) Non-profit Organisations (NPO) energy rate:</b></p> <p data-bbox="375 1870 1386 1946">Non-profit organisation's tariffs will apply, in various service charge types, to Non-profit Organisations in order to promote the affordability of the service for</p> |

| Policy/ By-law | Summarized Nature of change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                | <p>Non-profit Organisations. A monthly fixed charge may be applied for this category of consumers.</p> <p><b>(j) Sport Organisations energy rate:</b></p> <p>Sport energy rate tariffs will apply, and a Maximum Demand Charge may apply on sports fields as per approved contracts being classified as either Low Consumers or High Consumers. A fixed monthly charge may be applied to this category of consumers.</p> <p><b>(h) External Wheeling:</b></p> <p>Different tariffs may be applied for customers receiving power at low or medium voltage as per the Tariff Schedule as approved by Council for the applicable financial year.</p> <p><b>5.3 Waste Management Tariffs (Refuse (Solid Waste) Removal Tariffs)</b></p> <p><b>(a) Residential properties:</b></p> <p>Residential refuse (solid waste) will be removed once a week. Households are allowed 3 standard refuse bags or one wheelie bin per week. Any additional services will be specified in the Tariff Schedule as approved by Council for an applicable financial year.</p> <p>Refuse removal tariffs are based on a flat rate per household.</p> <p>The tariff for “Single residential properties for indigent households” as specified in the Tariff Schedule for Waste Management for residential purposes may be granted to Indigent households as a subsidy.</p> <p><b>(b) Business and industries:</b></p> <p>Business and industry refuse (solid waste) are removed by means of wheelie bin or bulk containers. Each container (size in volume) is accepted as a refuse unit at a specific tariff which includes the number of removals per week. Any additional services will be specified in the Tariff Schedule as approved by Council for an applicable financial year.</p> |

| Policy/ By-law | Summarized Nature of change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                | <p><b>5.4 Sewerage Tariffs</b></p> <p><b>(a) Residential properties (Properties for dwelling purposes only):</b></p> <p>A tariff structure utilizing plot sizes is applied to allocate the sewerage costs to a specific property. The tariff in the first block (0-250m<sup>2</sup>) of the Tariff Schedule for Sewerage for residential purposes may be granted to Indigent households as a subsidy.</p> <p><b>(b) Business and industries (All other developed erven):</b></p> <p>A tariff structure utilizing plot sizes, as well as floor areas per usage is applied to allocate the sewerage costs to a specific property.</p> <p>The removal of industrial effluent is charged at a cost as per the applicable tariffs.</p> <p><b>6. CALCULATION OF OTHER TARIFFS</b> (pages 10- 11)</p> <p><b>(b) Method of calculation:</b></p> <p>(iii) Any subsidy on Sundry tariffs for Indigent Consumers will be specified in the Indigent Policy.</p> <p><b>(d) Other Departmental Tariffs:</b></p> <p>(i) Different tariffs may be applied. The applicability of such fee shall be determined by the relevant directorate.</p> |
| Tariff By-law  | <p><b>Tariff By-law 2026/27</b></p> <p>Various aspects of the 2026/2027 Tariff Bylaw were modified to include changes that enhanced or fine-tuned the application of the current policy emanating from comments and inputs received from Department of Cooperative Governance and Traditional Affairs (COGTA) as per attached Annexure A.</p> <p>Minor amendments were made to the by-law. The list below demonstrates such changes and serves the purpose to highlight the changes:</p> <p><b>4. ADOPTION AND IMPLEMENTATION OF TARIFF POLICY</b> (page 2)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| Policy/ By-law | Summarized Nature of change                                                                                                                                                                                                                   |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | (3) The Tariff Policy applicable to a financial year is hereby incorporated by reference in this By-law. All amendments to the Tariff Policy as the Council may approve/adopt from time to time, shall be deemed to be likewise incorporated. |

## **ANNEXURE A**

### **LETTER FROM DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

87 Hamilton Street, Arcadia, Pretoria, Private Bag X804, Pretoria, 0001 South Africa  
Tel: (+27 12) 334 0600, Fax: (+27 12) 336 5954, Website: [www.cogta.gov.za](http://www.cogta.gov.za)

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Ref no: 14/4/P/1

The Municipal Manager  
**Stellenbosch Local Municipality**

Dear Municipal Manager,

**WC024 - Stellenbosch Local Municipality: Assessment of Compliance with Sections 13, 74 and 75 of the Local Government: Municipal Systems Act (MSA) (Act No. 32 of 2000)**

The Department of Cooperative Governance (herewith referred as the DCoG) is responsible for the administration of the Local Government: Municipal Systems Act, (Act No. 32 of 2000) (hereafter referred to as the MSA) including the monitoring of compliance by municipalities in respect of the implementation of all legislative aspects articulated in Sections 13, 74 and 75 of the MSA.

Section 74 (1) of the MSA provides for a municipal council to adopt and implement a tariff policy on the levying of fees for municipal services provided by the municipality itself or by way of service delivery agreements, and which complies with the provisions of this Act and with any other applicable legislation. According to Section 74(2) a tariff policy must reflect at least the following principles, namely that (c) poor households must have access to at least basic services through (ii) special tariffs or lifeline tariffs for low levels of use or consumption of services or for basic levels of service; or (iii) any other direct or indirect method of subsidisation of tariffs for poor households. According to Section 74(3) a tariff policy may differentiate between different categories of users, debtors, service providers, services, service standards, geographical areas and other matters long as the differentiation does not amount to unfair discrimination.

Further, Section 75 (1) requires a municipal council must adopt by-laws to give effect to the implementation and enforcement of its tariff policy. According to Section 13 of the MSA a by-law passed by a municipal council— (a) must be published promptly in the Provincial Gazette and when feasible, also in a local newspaper or in any other practical way to bring the contents of the by-law to the attention of the local community and takes effect when published or on a future date determined in or in terms of the by-law. Section 75 (1) of the MSA requires a municipal council to adopt by-laws to give effect to the implementation and enforcement of its tariffs policy.

During the 2025/26 municipal financial year and in line with the Department's responsibilities outlined above, the DCoG assessed your municipality's compliance with Sections 13, 74 and 75 of the MSA and determines as follows:

**WC024 - Stellenbosch Local Municipality: Assessment of Compliance with Sections 13, 74 and 75 of the Local Government: Municipal Systems Act (MSA) (Act No. 32 of 2000)**

**Compliance with Section 74(1) of the MSA - Adoption and Implementation of Tariffs Policies:**

The 2025/26 tariffs policy of Stellenbosch Local Municipality indicates effective date of implementation of the policy and is Item 8.2 of the 2025/26 budget. There are no recommendations in respect of the development and adoption of the 2025/26 tariffs policy.

**Compliance with Section 74(2) (c) (ii) and (iii) of the MSA:**

**Refuse Removal and Solid Waste Management** - According to Stellenbosch Local Municipality's 2025/26 tariffs policy a specific tariff for Indigent consumers in respect of single residential properties will apply as per the approved Solid Waste Tariff Schedule (Stellenbosch Local Municipality, 2025/26 Tariffs Policy, Page 9). Further, according to the 2025/26 tariffs policy, residential refuse (solid waste) will be removed once a week. Households are allowed 3 standard refuse bags or one "Otto"-type container per week. Refuse removal tariffs are based on a flat rate per household. A specific tariff for indigent consumers in respect of single residential properties will apply as per the approved Solid Waste Tariff Schedule.

It should be noted that the tariff schedule does not indicate the subsidy and defers the determination of the subsidy amount to council by indicating that "a monthly subsidy (to be determined by Council) to be credited to a registered indigent consumer's account" (Stellenbosch Local Municipality, 2025-26 Tariff Schedule, Page 11). There are no recommendations in respect of the compliance with section 74(2) (c) (ii) and (iii) of the MSA.

**Electricity Service** – Although the 2025/26 tariffs policy indicates that Domestic Lifeline Tariffs will apply to prepaid indigent consumers in order to promote the affordability of the service (Stellenbosch Local Municipality, 2025/26 Tariffs Policy, Page 7) the tariffs policy of Stellenbosch Local Municipality should be strengthened by indicating in the ensuing 2026/27 tariff policy, the levels of free basic services (funded through the local government equitable share) provided to indigent households in the municipality.

**Tariffs Policy and Levels of Free Basic Services:**

**Refuse Removal and Solid Waste Management** - According to the 2025/26 refuse removal and solid waste management policy of Stellenbosch Local Municipality, a specific tariff for indigent consumers in respect of single residential properties will apply as per the approved Solid Waste Tariff Schedule (Stellenbosch Local Municipality, 2025/26 Tariffs Policy, Page 9).

**Electricity Service** - The 2025/26 tariffs policy reasserts the principles that Indigent or Poor households (as per the Indigent Policy of Stellenbosch Municipality) have access to basic services through: (i) Special or lifeline tariffs for low levels of use or consumption of services or for basic levels of service; or (ii) Any other direct or indirect method of

**WC024 - Stellenbosch Local Municipality: Assessment of Compliance with Sections 13, 74 and 75 of the Local Government: Municipal Systems Act (MSA) (Act No. 32 of 2000)**

subsidisation of tariffs for poor households (Stellenbosch Local Municipality, 2025/26 Tariffs Policy, Page: 2).

**Compliance with Sections 74(3) of the MSA:**

**Refuse Removal and Solid Waste Management** - The assessment of the categories of customers as contemplated in section 74(3) of the MSA in respect to solid waste is categories of customers according to residential customers, business customers and availability fees, charged may be charged to vacant properties, businesses, flats, and developments not permanently using the municipal collection services. There are no recommendations in respect of the compliance with Sections 74(3) of the MSA.

**Electricity Services** - The tariff policy of the municipality determines its customer categories as follows: domestic lifeline; domestic regular; commercial lifeline low energy rate; commercial low energy rate; commercial regular energy rate; agricultural energy rate; industrial energy rate; non-profit organisations (NPO) energy rate; sport organisations energy rate; and time-of-use energy rate (Stellenbosch Local Municipality, 2025/26 Tariffs Policy, Page: 22-23). There are no recommendations in respect of the compliance with Sections 74(3) of the MSA.

**Compliance with Sections 75(1) and 13(1) of the MSA – Adoption and Publication of Tariffs By-Law**

According to the information assessed, Stellenbosch Local Municipality published its tariffs by-law on 15 June 2017 in Western Cape Provincial Gazette No. 7782. To align future amendments on the annual tariffs policies to the tariffs by-law, it is recommended that the municipality consider incorporating the following in the tariffs by-law: "The tariffs policy is hereby incorporated by reference in this By-law. All amendments to the tariffs policy as the municipal council may approve from time to time, shall be deemed to be likewise incorporated".

Kindly contact Choene Malatji, Deputy Director: Tariff Setting and Modelling on Cell No. 073 167 5157 and email [chuenem@cogta.gov.za](mailto:chuenem@cogta.gov.za) or alternatively Plaatjie Mahlobogoane, Director: Tariff Setting and Modelling on Cell No. 072 280 1457 or email [plaatjiem@cogta.gov.za](mailto:plaatjiem@cogta.gov.za) for more information related to this matter.

Kind regards



**DR KEVIN NAIDOO**

**DEPUTY DIRECTOR-GENERAL: POLICY, GOVERNANCE AND ADMINISTRATION**

**DATE: 23/03/2026**