



## MINUTES OF A MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE COUNCIL CHAMBER, MALMESBURY ON TUESDAY, 9 DECEMBER 2025 AT 10:00

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### PRESENT:

Executive Mayor, ald J H Cleophas (Chairperson)  
Executive Deputy Mayor, ald J M de Beer

#### Members of the Mayoral Committee:

Cllr D G Bess  
Cllr N Smit  
Ald T van Essen  
Cllr A K Warnick

#### Other council members:

The Speaker, ald M A Rangasamy

#### Officials:

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M Bolton  
Director: Civil Engineering Services, mr L D Zikmann  
Director: Protection Services, mr H Witbooi  
Director: Development Services, ms J S Krieger  
Senior Manager: Information Technology and Communication Services, mr J Pienaar  
Manager: Secretariate and Record Services, ms N Brand

### 1. OPENING

The Chairperson welcomed members and opened the meeting with prayer.

### 2. LEAVE OF ABSENCE

Apologies received from the Director: Corporate Services, ms M S Terblanche and the Director: Electrical Engineering Services, mr T Möller are noted.

### 3. DEPUTATIONS / STATEMENTS AND COMMUNICATIONS / PRESENTATIONS

#### 3.1 AWARD BY MAYOR TO MRS CYNTHIA SLINGERS AS PART OF THE SERVICE EXCELLENCE-AWARDS

The Chairperson stated that mrs C Slingers could not be present at the recent Service Excellence Award function.

The Chairperson also stated that although the purpose of the awards is to honour officials for their contribution to service delivery to the community and the efficient functioning of the Municipality, it has been decided to honour members of the public as well.

The Chairperson gave background to the involvement of mrs C Slingers in the community and on various community structures. The Chairperson thanked mrs Slingers for her selfless service to the community and her mindset to contribute to the well-being of the residents of the Swartland.

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The Chairperson further stated that it is considered a great honour to present her with the Service Excellence Award.

Mrs C Slingers stated that she has lived in the Swartland for 56 years and recites the quote by Mother Theresa: "A life not lived for others is not a life."

**NOTED**

**4. MINUTES**

**4.1 MINUTES OF THE ORDINARY EXECUTIVE MAYORAL COMMITTEE MEETING HELD ON 19 NOVEMBER 2025**

**RESOLUTION**

(proposed by cllr N Smit, seconded by ald J M de Beer)

That the minutes of the Ordinary Executive Mayoral Committee meeting held on 19 November 2025 be approved and signed by the Executive Mayor, subject to the following correction of erf numbers:

ITEM 7.8: LEASE OF TOWER LOCATED ON A PORTION OF **ERF 7516** (instead of Erf 7156), JACARANDA STREET, MALMESBURY TO THE ILINGE LETHU NEIGHBOURHOOD WATCH (12/1/3/1-8/1)

ITEM 7.13: RENEWAL OF LEASE OF **ERF 478** (instead of Erf 471), DARLING FROM J F & K J KIRSTEN TRUST FOR PURPOSES OF OPERATING A FIRE STATION (12/1/3-3)

**5. MATTERS ARISING FROM THE MINUTES**

None.

**6. MONTHLY REPORT: OCTOBER 2025**

**6.1 MUNICIPAL MANAGER (7/1/2/2-7)**

The monthly report of the Office of the Municipal Manager for the month of October 2025 is tabled.

**RESOLUTION**

(proposed by ald T van Essen, seconded by cllr A K Warnick)

That note be taken of the contents of the monthly report of the Directorate: Civil Engineering Services in respect of October 2025.

**6.2 CORPORATE SERVICES (7/1/2/2-1)**

The monthly report of the Directorate: Corporate Services for the month of October 2025 is tabled.

**RESOLUTION**

(proposed by ald T van Essen, seconded by cllr A K Warnick)

That note be taken of the contents of the monthly report of the Directorate: Corporate Services in respect of October 2025.

**6.3 FINANCIAL SERVICES (7/1/2/2-2)**

The monthly report of the Directorate: Financial Services for the month of October 2025 is tabled.

The Director: Financial Services mentioned that the low capital expenditure is a concern and has also been identified as a risk by the Auditor-General. The Director: Financial Services explains the effect of high capital expenditure in the last two months of the

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preceding financial year, that, *inter alia*, creditor payments increased to 28 days – although still within the NT norm of 30 days – this is considered a further risk.

Ald T van Essen expressed his concern about the outstanding debtors that are increasing on an annual basis, and the Director: Financial Services confirmed that the debt increases annually by R6 to R6,5 million and that the provision made for debt that increases annually has also been identified as a risk by the Auditor-General.

The Director: Financial Services mentioned that the applications for indigent subsidies are increasing and that this can be attributed to the loss of jobs and an increase in unemployment. Consideration will therefore have to be given during the 90-day budget to lower the income limit to qualify for indigent subsidies in order to accommodate more households. Furthermore, the Directorate plans to launch a campaign to collect arrears by accommodating the client on a 50/50 basis.

**RESOLUTION**

(proposed by ald T van Essen, seconded by cllr A K Warnick)

That note be taken of the contents of the monthly report of the Directorate: Financial Services in respect of October 2025.

**6.4 CIVIL ENGINEERING SERVICES (7/1/2/2-4)**

The monthly report of the Directorate: Civil Engineering Services for the month of October 2025 is tabled.

The Director: Civil Engineering Services mentioned that although the dam levels are significantly lower than last year, it was decided at a recent Management Forum meeting not to consider water restrictions.

A discussion ensues regarding the pressure on the bulk water supply system which can be attributed to various factors, *inter alia* –

- (1) Increased withdrawal from system due to population growth;
- (2) Climate changes, e.g. heat conditions during November;
- (3) Upgrading of master plans to identify critical infrastructure for upgrading;
- (4) Lack of capital expenditure over the last 10 to 15 years and the backlog that arose as a result in the upgrading of the system – the Director: Civil Engineering Services adds that a meeting will soon take place with Zutari Consulting Engineers to discuss the utilisation of the SIDAFF funds for critical upgrades;
- (5) The design of the system to run only x2 pumps (although there are x4) and the risks associated with switching on an additional pump, e.g. who would be responsible for a pipe rupture if the pressure is increased.

The Chairperson mentioned that it is important to note the need to upgrade the bulk water system in view of future budgets and the possibility of bringing forward projects. The Director: Financial Services confirmed that Swartland Municipality is in a favourable position to finance a large portion of the projects.

The Municipal Manager stated the importance of having capacity on the bulk systems (water, sewage and garbage disposal) to ensure economic growth.

**RESOLUTION**

(proposed by ald T van Essen, seconded by cllr A K Warnick)

- (a) That note be taken of the contents of the monthly report of the Directorate: Civil Engineering Services in respect of October 2025;
- (b) That proactive action be taken by sending a letter to the Department of Water Affairs requesting that the channels feeding the Voëlvlei Dam be checked for defects and overgrown portions;
- (c) That a further letter be addressed to the Department of Water Affairs to request feedback regarding progress with projects by the relevant department to increase the delivery capabilities of the system, *inter alia*, the increase of the dam

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embankment at the Voëlvlei Dam, the Mitchell Pass Diversion Scheme (channels from Ceres), and the implementation of the BRVAS system.

### **6.5 ELECTRICAL ENGINEERING SERVICES (7/1/2/2-6)**

The monthly report of the Directorate: Electrical Engineering Services for the month of October 2025 is tabled.

#### **RESOLUTION**

(proposed by cllr D G Bess, seconded by ald J M de Beer)

That note be taken of the contents of the monthly report of the Directorate: Electrical Engineering Services in respect of October 2025.

### **6.6 DEVELOPMENT SERVICES (7/1/2/2-5)**

The monthly report of the Directorate: Development Services for the month of October 2025 is tabled.

The Director: Development Services mentioned that 102 houses have been handed over lately. A major problem experienced over the festive season is vandalism and burglaries at the housing projects/construction sites. ASLA is responsible for the security at the construction sites, but it was decided at the recent Management Team meeting that law enforcement should also be visible at these sites on a regular basis.

#### **RESOLUTION**

(proposed by cllr D G Bess, seconded by ald J M de Beer)

That note be taken of the contents of the monthly report of the Development Services Directorate in respect of October 2025.

### **6.7 PROTECTION SERVICES (7/1/2/2-3)**

#### **6.7.1 PERFORMANCE MANAGEMENT**

#### **6.7.2 TRAFFIC AND LAW ENFORCEMENT SERVICES**

#### **6.7.3 FIRE SERVICES**

The monthly report of the Directorate: Protection Services for the month of October 2025 is tabled.

With reference to the low pass rate of learners' licences on the new electronic system, the Director: Protection Services stated that the Department of Mobility posted information on their website to help persons to better prepare for the test. It is also recommended that the K53 application be downloaded on mobile phones to prepare for the test.

The information will be made available on the Municipality's social media platforms.

#### **RESOLUTION**

(proposed by cllr D G Bess, seconded by ald J M de Beer)

That note be taken of the contents of the monthly report of the Directorate: Protection Services in respect of October 2025.

## **7. NEW MATTERS**

### **7.1 MANDATE: MUNICIPAL PERFORMANCE, RISK AND AUDIT COMMITTEE (5/15/1/3)**

The Charter of the Performance, Risk and Audit Committee contains the roles and responsibilities of members and must be reviewed on a regular basis for approval by the Executive Mayoral Committee.

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**RESOLUTION**

(proposed by cllr N Smit, seconded by cllr D G Bess)

That the Charter of the Performance, Risk and Audit Committee be approved by the Executive Mayoral Committee and adopted by the Performance, Risk and Audit Committee members for them to be aware of their responsibilities.

**7.2 MINUTES OF THE MUNICIPAL PERFORMANCE, RISK AND AUDIT COMMITTEE MEETINGS HELD ON 19 AND 26 AUGUST 2025 (5/15/1/3)**

The Audit Committee serves as a fully-fledged independent committee of Council and performs its function in terms of the provisions of section 166 of the Local Government: Municipal Finance Management Act, No. 56 of 2003.

The minutes of the Municipal Performance, Risk and Audit Committee meetings held on 19 August 2025 and 26 August 2025 respectively were circulated with the agenda, and do not contain any recommendations to the Executive Mayoral Committee for consideration.

**RESOLUTION**

(proposed by cllr N Smit, seconded by ald T van Essen)

That cognizance be taken of the minutes of the meetings of the Municipality's Performance, Risk and Audit Committee of 19 and 26 August 2025.

**7.3 TENDER L01/25/26: SALE OF ERF 1071 CHATSWORTH (8/2/2/8)**

In July 2021 Council approved in principle the alienation of Erf 1071, Chatsworth in terms of legislative requirements. It was further decided to make the property available by way of a public tender, subject to the successful rezoning of Erf 1071, Chatsworth from Public Open Space Zone 1 to Business Zone 1.

The rezoning process, limited to a consent of use for the erection of a service station and associated infrastructure and obtaining the required Environmental Authorization in terms of the relevant legislation and regulations took some time. The sale of Erf 1071, Chatsworth was only advertised on 12 August 2025.

At the closing of the tender, three bids were received, of which only one tenderer met all the requirements.

**RESOLUTION**

(proposed by cllr D G Bess, seconded by ald J M de Beer)

- (a) That cognizance be taken of the processes followed for Tender L01/25/26 (Sale of Erf 1071 Chatsworth) to be awarded to Emerald Fire Trading 216 CC at the amount of R851 212.85 excluding VAT;
- (b) That the transfer of the asset (subject property) to Emerald Fire Trading 216 CC be approved, and the Agreement of Sale be signed by the Director: Corporate Services.

**7.4 TENDER L02/25/26: SALE OF ERF 11350 (IRIS STREET) MALMESBURY (8/2/2/8)**

In March 2025 Council approved in principle the alienation of Erf 11350, Iris Street, Malmesbury (size ±229 m<sup>2</sup>) by way of a public tender.

Tenders were invited on 20 May 2025, after no objections were received for the alienation of the erf in question, and three bids were received by the closing date. Only one tenderer met all the requirements.

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**RESOLUTION**

(proposed by ald J M de Beer, seconded by cllr D G Bess)

- (a) That cognizance be taken of the processes followed for Tender L02/25/26 (Sale of Erf 11350 Malmesbury) to be awarded to Mahlape Abigail Tsolo at the amount of R309 000.00 excluding VAT;
- (b) That the transfer of the asset (subject property) to Mahlape Abigail Tsolo be approved, and the Agreement of Sale be signed by the Director: Corporate Services.

**7.5 LEASE OF THE TENNIS CLUBHOUSE AND CONTAINER TO THE OMEGA RACING PIGEON CLUB MALMESBURY, SITUATED ON A PORTION OF ERF 13044 AT WESTBANK SPORTSGROUNDS, MALMESBURY (17/9/2/2/2-8)**

An application was received from the Omega Racing Pigeon Club, Malmesbury to lease the Tennis Club and container located on the West Bank Sportsgrounds for a further term for the execution of their activities.

**RESOLUTION**

(proposed by ald J M de Beer, seconded by ald T van Essen)

- (a) That in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the lease of the tennis clubhouse and container, situated on a portion of Erf 13044 Malmesbury at the Wesbank Sportsgrounds, Alfa Street to the Omega Racing Pigeon Club Malmesbury, subject to the standard conditions of lease and the following further conditions:
  - (i) That the lease will endure for a period of 10 months from 01 February 2026 to 30 November 2026;
  - (ii) That a once-off rental amount of R120.00, excluding VAT be payable by the lessee for the abovementioned period;
  - (iii) That no service consumption charges will be payable;
  - (iv) That the clubhouse only be used for meetings and activities associated with the club and for no other purposes;
  - (v) That the tennis courts may not be utilised by the club for their club activities or pigeon basketing;
  - (vi) That the minor and internal maintenance works and upkeep be undertaken by and at the cost of the lessee; and
  - (vii) That the larger maintenance works/upgrading of the facility be undertaken by and at the cost of the municipality.
- (b) That in terms of paragraph 13.1.3 of the Asset Transfer Policy, it be recorded that the Omega Racing Pigeon Club will satisfy a priority need in the community by accommodating members of not only this club, but also two others to continue with practising the sport.

**7.6 PROPOSED RENEWAL OF LEASE OF A PORTION OF THE MUNICIPAL PROPERTY, SITUATED ON ERF 1217 ABBOTSDALE, SONNEBLOM STREET TO ABBOTSDALE YOUTH DEVELOPMENT ORGANISATION (12/1/3/1-1/1)**

An application was received from the Abbotsdale Youth Development Organisation to lease a portion of the municipal building located on Erf 1217, Abbotsdale for a further term.

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**RESOLUTION**

(proposed by cllr N Smit, seconded by cllr A K Warnick)

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read with the Municipal Asset Transfer Policy (2014), approval be granted for the direct lease of a portion of the municipal building, situated on Erf 1217 Abbotsdale, Sonneblom Street, to the Abbotsdale Youth Development Organisation (Registration no. 316-159-NPO), subject to the standard conditions of lease and the following further conditions:
  - (i) That the lease term will endure for a period of two years from 01 January 2026 to 31 December 2028;
  - (ii) That a lease amounting to R120.00 per annum, excluding VAT be levied in respect of year 1, subject to escalation based on the Consumer Price Index (CPI) for year 2;
  - (iii) That the municipal building be utilised for the provision of community development services only and for no other purposes;
- (b) That, in terms of paragraph 12.2.1.4 of the Asset Transfer Policy, it will be in the interest of the community to lease the property for community development purposes.

**7.7 OUTSTANDING DEBTORS: NOVEMBER 2025 (5/7/1/1)**

A full report of the state of outstanding debtors was circulated with the agenda.

**RESOLUTION**

That cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for November 2025.

**7.8 PROGRESS: OUTSTANDING INSURANCE CLAIMS (5/14/3/5)**

In terms of the Asset Management Policy, a monthly report must be compiled regarding the outstanding insurance claims.

The Municipal Manager confirmed that other municipalities have been consulted for advice on methods to protect assets and that the matter was also discussed at the DCF. George Municipality indicated that they have appointed an official to investigate all theft complaints. If this is an option for Swartland Municipality, this official must compete with all other personnel needs that exist.

The Municipal Manager stated that it is not only the SAPS that is failing the municipality in investigations, but also Justice.

**RESOLUTION**

That cognizance be taken of the state of outstanding insurance claims up to and including 30 November 2025 as circulated with the agenda.

**7.9 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: REPAIR OF NISSAN NP300 2.5 MID, CK 29283 (8/1/B/2)**

The vehicle is utilised by the Sewerage Department in Malmesbury. During the service of the vehicle by Nissan Malmesbury, certain defects were picked up for repairs.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b)/...

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- (b) That cognisance be taken that the Municipal Manager has approved the repairs to the Nissan NP300 CK 29283 LDV for the amount of R 27,887.74 excluding VAT by Nissan Malmesbury;
- (c) That cognisance be taken that in terms of paragraph 2(6) (D) of the SCM Policy a formal tender process was not followed as Nissan Malmesbury is the support agent to the Nissan NP300;
- (d) That the expenditure will be allocated to mSCOA Code: 9/2-18-5 and that there is sufficient funding available for the quoted amount of R 27,887.74 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.10 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: REPAIR OF CATERPILLAR GRADER, CK 42953 (8/1/B/2)**

The vehicle is utilised by the Street and Stormwater Department in Moorreesburg. After the vehicle gave problems, Barloworld Equipment was approached to determine the fault.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken that the Municipal Manager has approved the repairs to the hydraulic cylinder and replacement of rocker box cover seal to CK42953 for the amount of R85 889.51 excluding VAT by Barloworld Equipment;
- (c) That cognisance be taken that in terms of paragraph 2(6) (d) of the SCM Policy a formal tender process was not followed, as Barloworld Equipment is the agent for Caterpillar vehicles and equipment;
- (d) That the expenditure will be allocated to mSCOA Code: 9/7-10-5 and that there is sufficient funding available for the quoted amount of R 85 889.51 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.11 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: REPAIR OF FLATBED TRAILER, CK 11917 (8/1/B/2)**

The flatbed trailer is utilised to transport heavy machinery, specifically for the clean-up of illegal waste dumping across the Swartland municipal area.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken that the Municipal Manager has approved the repair of the rockers and spring packs of lowbed trailer CK 11917 for the amount of R 65,210.81 excluding VAT by UD Trucks;
- (c) That cognisance be taken that in terms of paragraph 36.1(a)(v) of the SCM Policy a formal tender process was not followed due to the following:

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- (i) A strip down of the suspension components was required to prepare the quotation;
- (ii) It was impractical to obtain more quotations as it would have required reassembly and further strip down at other workshops;
- (d) That the expenditure will be allocated mSCOA Code: 9/6-63-5 and that there is sufficient funding available for the quoted amount of R 65,210.81 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.12 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: REPAIR OF ISUZU KB 250 FLEETSIDE REGULAR CAB, CK 47091 (8/1/B/2)**

The vehicle is utilised by the Water Department in Malmesbury. The vehicle was taken to the authorised agent, Isuzu Malmesbury, after it was found that the vehicle was unstable on the road.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken that the Municipal Manager has approved the repairs to the steering mechanism of CK 47091 for the amount of R 26 705.25 excluding VAT by Isuzu Malmesbury;
- (c) That cognisance be taken that in terms of paragraph 2(6) (d) of the SCM Policy a formal tender process was not followed, as Isuzu Malmesbury is the agent for Isuzu vehicles;
- (d) That the expenditure will be allocated to mSCOA Code: 9/2-73-5 and that there is sufficient funding available for the quoted amount of R 26 705.25 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.13 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: REPAIR OF LANDINI TRACTOR, CK 36823 (8/1/B/2)**

The vehicle is utilised by the Parks Department in Malmesbury. The tractor's clutch system gave problems and a quotation was obtained from West Coast Mechanisation.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken that the Municipal Manager has approved the repairs to the clutch of the Landini tractor, CK 36823 for the amount of R 35,595.00 excluding VAT by Weskus Meganisarie;
- (c) That cognisance be taken that in terms of paragraph 2(6) (d) of the SCM Policy a formal tender process was not followed, as Weskus Meganisarie is the agent for Landini tractors;
- (d) That the expenditure will be allocated to mSCOA Code: 9/5-15-5 and that there is sufficient funding available for the quoted amount of R 35,595.00 excluding VAT;

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- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.14 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE SUBMERSIBLE PUMP NO. 1 AT THE INLET WORKS OF THE MALMESBURY WWTW (8/1/B/2)**

The inlet works at the Malmesbury WWTW receive raw sewage, and submersible pumps enable the gravitational flow of the sewage to the rest of the treatment processes.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken of the action of the Municipal Manager to approve the repair of the submersible pump at the Malmesbury Wastewater Treatment Works by CAW for the amount of R 80,600.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The submersible pump would have been left out of service for an extended period of time following due process;
  - (ii) This would have resulted in treatment process failure, the overflow of the sewerage drainage system and an interruption in the sewerage service;
  - (iii) The repair work to the pump had therefore to be handled as an emergency.
- (d) That the expenditure was allocated to mSCOA Code: 9/239-849-425 and that there is sufficient funding available for the quoted amount of R 80,600.00 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.15 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE TELEMETRY EQUIPMENT AT THE WESTBANK TOWER RESERVOIR AND THE WESTBANK BOOSTER PUMPSTATION (8/1/B/2)**

During an inspection it was found that certain components of the telemetry system at the West Bank Water Tower Reservoir and the West Bank Supercharger Pump Station were not functioning effectively. The telemetry system controls the levels of the reservoir by regulating the switching on and off of the pumps and if outside there may be an interruption in water supply to the surrounding residential area.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That it be noted and the action of the Municipal Manager be condoned with regard to the repairs of the telemetry system at the Wesbank reservoirs by Spectrum Communications for the amount of R 152,598.82 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The telemetry system that controls reservoir levels and stop/start functioning of booster pump at the Wesbank Reservoirs pumps had a malfunction;
  - (ii) If left out of service, water supply to the residents would fail and repairs therefore had to be done as an emergency;

- (d) That the expenditure was allocated mSCOA Code: 9/249-1143-543 and that there is sufficient funding available for the quoted amount of R 152,598.82 (excluding VAT);
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.16 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE ELECTRICAL AND MECHANICAL EQUIPMENT AT THE WESTBANK WATER TOWER PUMPSTATION (8/1/B/2)**

The function of the pump station at the West Bank Water Tower is to increase the gravitational supply of drinking water to the surrounding neighbourhoods around the reservoirs and the Water Tower.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That it be noted and the action of the Municipal Manager be condoned with regard to the repairs of the various equipment at the Wesbank Tower pumpstation by Tricom Africa for the amount of R 109,427.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The Tower pumpstation which provides much needed water to the surrounding communities was left out of service following failures of various electrical and mechanical equipment;
  - (ii) If left out of service, water supply to the residents would fail and repairs therefore needs to be handled as an emergency;
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/249-679-259 and that there is sufficient funding available for the quoted amount of R 109,427.00 (excluding VAT);
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.17 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: RENEWAL OF TREND-MICRO LICENSE (8/1/B/2)**

The implementation of the Trend-Micro License stems from the recommendations by experts after the security breach in October 2020.

The purpose of Trend-Micro as an endpoint detection and response function is to monitor behavioural analysis of computer devices and all installed software connected to the IT network for any human activity. In this way, the network is protected from any unlawful access.

**RESOLUTION**

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken of the action of the Municipal Manager to approve the renewal of the Trend-Micro Licence at a cost of R447 647.17 (Excl VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) Trend-Micro is extensively integrated into our existing systems and the risk of replacing it with a product that has not been tested with our systems will introduce risks above our risk appetite and thus further research and

testing needs to be done before an informed decision can be made.

- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/216-655-1925 and that there was sufficient funding available for the order in the amount of R447 647.17 including VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.18 IMPLEMENTATION OF REGULATION 6292: REVISED COMPULSORY NATIONAL WATER AND SANITATION SERVICES STANDARDS IN TERMS OF SECTION 9(1) OF THE WATER SERVICES ACT, ACT NO 108 OF 1997 (16/1)**

The Director: Civil Engineering Services refers to the new Regulations No. 6292 promulgated in relation to the mandatory implementation of the National Water and Sanitation Standards.

The report contains the requirements that Water Authorities must comply with action plans and timeframes, and also mentions to the Director: Civil Engineering Services that Swartland Municipality already meets some of the requirements, but that there are others that will be unable to be achieved within the given timeframe.

The Municipal Manager mentions that the new standard has enriching implications for municipalities, *inter alia*, that the relevant services must also be provided to the rural area. Furthermore, budget implications in terms of Cost of Supply Studies will have to be completed for implementation from 1 July 2027.

**RESOLUTION**

(proposed by ald T van Essen, seconded by cllr A K Warnick)

- (a) That cognisance be taken of the legislative compliance requirements of Regulation 6292, the Revised Compulsory National Water and Sanitation Services Standards in promulgated in term of Section 9 (1) of the National Water Services Act, Act no 108 of 1997;
- (b) That further cognisance be taken of the provisions of Regulation 6292 that cannot be achieved within the specified timeframes indicated in the attached Compliance Plan;
- (c) That the Executive Mayoral Committee approves the attached Compliance Plan and further approves the submission of the Compliance Plan on the Integrated Regulatory Information Management System of the Department of Water and Sanitation.

**(SIGNED) J H CLEOPHAS  
EXECUTIVE MAYOR**