### **MINUTES: MAYORAL COMMITTEE**

ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 19 OCTOBER 2022 AT 10:00.

PRESENT: The Executive Mayor, Ald C J Poole (Chairperson)

The Deputy Executive Mayor, Ald G C Combrink

Councillors: M A Andreas

A M B Appollis
L C Arendse
E Baron
T G Bester
L Cyster
J Miller

L T van Niekerk

R H van Nieuwenhuyzen

ALSO PRESENT:

Ald J F le Roux

(Speaker)

Cllr C Kearns

(Chief Whip)

Officials:

Dr J H Leibbrandt

(City Manager)

Mr B Brown

(Chief Financial Officer)

Mr S Johaar

(Executive Director: Corporate Services)

Mr M Wüst

(Executive Director: Engineering Services)

Ms J Samson

(Executive Director: Planning and Development)

Mr R Boshoff

(Acting Executive Director: Community Services)

Ms R Jaftha

(Chief Audit Executive)

Ms R Geldenhuys

(Manager: Communication and Marketing)

Ms C September

(Manager: IDP/PM)

Mr G Dippenaar

(Chief Risk Officer)

Mr F P Goosen

(Manager: Administrative Support Services)

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### 1. LEAVE ARRANGEMENT AND NON-AVAILABILITY OF COUNCILLORS AND SENIOR MANAGEMENT

1. Cllr E Gouws

Apology; and

2. Mr G Esau: Executive Director: Community Services -

Apology.

### 2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

None.

### 3. CONFLICT OF INTERESTS BY COUNCILLORS/OFFICIALS

None.

4. <u>CONSIDERATION OF URGENT MATTERS, REPORTS, COMMUNICATIONS AND PETITIONS</u>

None.

### 5. **CONFIRMATION OF MINUTES**

The minutes of the meetings of the Mayoral Committee were <u>confirmed as</u> <u>correct:</u>

- i. Ordinary meeting held on 21 September 2022; and
- ii. Confidential meeting held on 21 September 2022.



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### 6. CORPORATE SERVICES

6.1 ACQUISITION OF PORTIONS OF ERVEN FROM PRIVATE LANDOWNERS AND GOVERNMENT OWNED INSTITUTIONS SITUATED ALONGSIDE THE BERG RIVER BOULEVARD, PAARL FOR ROAD WIDENING PURPOSES (UPGRADING OF THE BERG RIVER BOULEVARD) (WARD 19)

AANKOOP VAN GEDEELTES VAN ERWE VAN PRIVAAT GRONDEIENAARS ASOOK STAATSINSTANSIES GELEË LANGS DIE BERGRIVIER BOULEVARD, PAARL VIR PAD VERBREDINGS DOELEINDES (OPGRADERING VAN DIE BERGRIVIER BOULEVARD) (WYK 19)

UKUTHENGWA KWECEBA LEZIZA KUNINI OYEDWA KUNYE NEZIKO LOMNINI KARHULUMENTE EKWI CELA LE BERG RIVER BOULEVARD, PAARL KUSENZELWA UKWANDISWA KWENDLELA (UKUPHUHLISWA KWE BERG RIVER BOULEVARD) (WADI 19)

### **RECOMMENDED** that

- 1. Approval be granted for the acquisition of portions of private and government owned land, namely Erven 21751, 18251, 15334, 1018, 26015, 17114, 1433, 1458, 1452, 28665 and 12660 Paarl for road widening purposes (which formed part of the Berg River Boulevard upgrading) from adjacent landowners and be compensated according to the valuation obtained to an amount of R150,000,00 (one hundred and fifty thousand rand) (compensation listed in Annexure B attached to the departmental report);
- 2. The registration of transfer of the subject portions (to be registered as road portions) be undertaken by and at the cost of the Municipality; and
- 3. The Financial Services Department to make provision for the amount of R150,000,00 (one hundred and fifty thousand rand) for the compensation to the private landowners and government institutions.

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6.2 ACQUISITION OF A PORTION OF PORTION 4 FARM NO. 825 PAARL FROM THE REGISTERED PRIVATE OWNER FOR THE PURPOSE OF CONSTRUCTING A NEW 11KV ELECTRICAL SUBSTATION (WARD 28)

AANKOOP VAN 'N GEDEELTE VAN GEDEELTE 4 VAN PLAAS NR. 825 PAARL VAN DIE GEREGISTREERDE PRIVAAT GRONDEIENAAR VIR DIE DOEL VIR KONSTRUKSIE VAN 'N 11KV SUBSTASIE (WYK 28)

UKUFUMANAKWECEBA FAMA 4 NOMBOLO. 825 PAARL EVELA KUMNINI WABUCALA OBHALISIWEYO NGENJONGO YOKWAKHIWA KWESIXHOBO ESITSHA SOMBANEESIYI 11KV (WADI 28)

#### **RECOMMENDED** that

- Approval be granted for the acquisition of Portion 17 of Portion 4 of Farm No. 852, Paarl measuring 632m<sup>2</sup> in extent from Leman Trading 2 (Pty) Ltd (Registration No. 2004/028752/07) at a purchase price agreed upon of R193,800,00 (VAT included) for the purpose of construction a 11kV municipal electrical substation as well as the required services servitude to serve the current residential development and future developments in the surrounding area;
- 2. Instruction be provided to the conveyancing attorneys, to proceed with the registration of transfer of the subject property to the Municipality; and
- 3. All costs related to registration of transfer of the subject property shall be for the account of the municipal Electro-Technical Services Division.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (F852/4) P Coll No: 1979457		Submitted by Department: Author/s: Referred from:	Corporate Se F Williams Corp Serv Po	ervices ortf – 17/10/2022
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PROPOSED ALIENATION OF A PORTION OF ERF 14755 PAARL SITUATED IN WESTHOVEN STREET TO ADJACENT LANDOWNER OF ERF 20768 PAARL (WARD 17)

VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ERF 14755 PAARL GELEË IN WESTHOVENSTRAAT AAN DIE AANGRENSENDE GRONDEIENAAR VAN ERF 20768 PAARL (WYK 17)

UKUNIKEZWA KWECEBA ESICETYWEYO SEAIZA 14755 PAARL EMIZI KWISITALATHO SASE WESTHOVEN UKUYA KUMNINI-MHLABA ONGAXHUMANAYO WE SIZA 20768 PAARL (WADI 17)

#### **RECOMMENDED** that

- 1. In terms of Section 14 of the Municipal Finance Management Act (Act 56 of 2003) Council resolves that:
  - 1.1 The subject property is not needed to provide the minimum level of basic municipal services; and
  - 1.2 The fair market value of the asset and the economic and community value to be received in exchange for the asset has been considered.
- 2. In terms of Section 14 of the Municipal Finance Management Act (Act 56 of 2003) final approval be granted for the alienation of a portion of Erf 14755, Westhoven Street, Paarl, measuring approximately 1 000m² in extent, to owner of Erf 20768 Paarl (where H&S Panelbeating is operating from) for parking purposes at a market related selling price of R350,000,00 (three hundred and fifty thousand rand) (VAT excluded) subject to the standard conditions of sale and the following further conditions:
  - 2.1 The purchaser must take note of the fact that the portion of land is situated below the 1:50 year flood line. The purchaser must obtain approval in writing from the Department of Water Affairs and Sanitation in respect of the use of the subject property and any other relevant authorities which may prohibit or restrict construction on the subject property;
  - 2.2 The purchaser will be required to attend to the closure, subdivision, rezoning and consolidation. The exact extent of the portion of Erf 14755 Paarl must be surveyed and agreed upon as part of the land use application process;

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- 2.3 All exit and access points of the subject premises must be confirmed with the Engineering Services Department and the transaction is subject to any further requirements imposed by the Engineering Services Department; and
- 2.4 The property must only be used for open and carport parking purposes, which restriction must be registered against the title of the property together with a building restriction servitude.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (14755) P Coll No: 1985877		Submitted by Department: Author/s: Referred from:	Corporate So F Williams Corp Serv Po	ervices ortf - 17/10/2022
PAR:	ACTION:	RESPONSIBLE DEPARTM	IENT:	<u>DUE DATE:</u>

6.4 GRANTING OF RIGHT TO USE OF MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 34, INTERPACE STREET, WELLINGTON TO THE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS WELLINGTON (WARD 18)

TOESTAAN VAN GEBRUIKSREG VAN 'N GEDEELTE VAN ERF 34, INTERPACESTRAAT,

TOESTAAN VAN GEBRUIKSREG VAN 'N GEDEELTE VAN ERF 34, INTERPACESTRAAT, WELLINGTON AAN DIE DIEREBESKERMINGSVERENIGING WELLINGTON (WYK 18)

UKUNIKEZELWA KWELUNGELO LOKUSETYENZISWA KWEPROPATI KAMASIPALA EMI KWICEBA LESIZA 34, INTERPACE STREET, WELLINGTON KULUNTU LOKUTHINTELA UBUKHOHLAKALA KWIZILWANYANA EWELLINGTON (WADI 18)

#### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations final approval be granted for the granting of right to use in respect of a portion of Erf 34, Wellington measuring ±1 486m² in extent to the Society for the Prevention of Cruelty to Animals (SPCA Wellington) for the purpose of an animal shelter and office space, subject to the following conditions:
  - 1.1 The property be used free of charge as the lessee provides the service control of small animals on behalf of the Municipality and renders a service to the whole community;
  - 1.2 The use agreement endures for a period of 5 (five) years, backdated from 1 June 2022;

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- 1.3 The applicant be responsible for the payment of all municipal services, connection fees and services consumption;
- 1.4 The lease be subject to a notice period of 3 months should the property be required by the Municipality for municipal purposes;
- 1.5 The applicant be informed that the land may in future be required for municipal purposes; and
- 1.6 All administrative and legal requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the right to use the property be granted by way of direct negotiation as the SPCA renders a service within their capacity to the public and also renders a supporting service to the Municipality in terms of implementing the Bylaw for the Impoundment of Animals.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (34) W Coll No: 1984863	f No: 15/4/1 (34) W		Corporate Service N Williams Corp Serv Portf	
PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

6.5 RENEWAL OF LEASE AGREEMENT BEING ROOMS B AND E SITUATED ON ERF 2689
MATHAKATHA STREET MBEKWENI (WARD 9)

HERNUWING VAN HUUROOREENKOMS SYNDE KAMERS B EN E, GELEË OP ERF 2689,
MATHAKATHASTRAAT MBEKWENI (WYK 9)

UHLAZIYO LWEMVUMELWANO YOKUQESHA AMAGUMBI B KUNYE NO E AME KWISIZA
2689 MATHAKATHA STREET MBEKWENI (WAD 9)

#### **RECOMMENDED** that

 In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for the renewal of the lease in respect of the municipal property being Rooms B and E, situated on a portion of Erf 2689, Mathakatha Street, Mbekweni, to Jos Funeral

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Services and Uzuko Funeral Services respectively for business purposes, subject to the standard lease conditions as well as the following conditions:

- 1.1 Room B measuring ±17m² will be leased to Jos Funeral Services at a market rental R461.06 per month (VAT excluded and 5% escalation included);
- 1.2 Room E measuring ±22m² will be leased to Uzuko Funeral Services at a market rental R775.50 per month (VAT excluded and 5% escalation included);
- 1.3 A lease period of 5 (five) years will apply backdated from 1 October 2021 (Jos) and 1 September 2021 (Uzuko) respectively;
- 1.4 The subject property be used for business purposes and for no other purpose;
- 1.5 All existing conditions of the agreement will remain applicable;
- 1.6 The lessee be responsible for all municipal services, connection fees and services consumption etc., if applicable; and
- 1.7 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of existing lease agreements. Furthermore a competitive process was followed during which other parties had the opportunity to submit an application. None were received.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (2689) M Coll No: 1980565		Submitted by Department: Author/s: Referred from:	tment: Corporate Services N Williams Corp Serv Portf – 17/10/2	
PAR: ACTION:		RESPONSIBLE DEPARTM	MENT: DUE	DATE:



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6.6 LEASE OF MUNICIPAL PROPERTY SITUATED ON ERF 4953, MINTOOR STREET, WELLINGTON ALSO KNOWN AS THE "HAPPY TODDLERS FACILITY" (WARD 29)

HUUR VAN MUNISIPALE EIENDOM GELEË OP ERF 4953 MINTOORSTRAAT, WELLINGTON OOK BEKEND AS DIE "HAPPY TODDLERS FASILITEIT" (WYK 29)

UKUQESHWA KWEPROPATI KAMASIPALA EKUSIZA 4953, MINTOOR STREET, WELLINGTON EKWAZIWA NJENGE-"HAPPY TODDLERS FACILITION" (WADI 29)

#### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for the lease of the municipal property situated on Erf 4953, Mintoor Street, Wellington measuring ±3 915m² in extent to Badisa Wellington (011–891 NPO) for community and/or social purposes and other related activities, subject to the standard conditions of lease as well as the following terms and conditions:
  - 1.1 The property will be leased at a subsidised market rental of R1 825.46 per month (VAT excluded and 4% escalation included);
  - 1.2 A lease period of 3 (years) years will apply;
  - 1.3 Badisa as the principal lessee be responsible to manage the usage of the facility as a community centre and that they therefore be authorised to sublease part of the premises in consultation with the Municipality;
  - 1.4 The subject property be used for community and/or social purposes and related activities and for no other purpose;
  - 1.5 No private social events like weddings, birthday celebrations, etc. be allowed on the property;
  - 1.6 The rights of the existing two crèches (D'Carlette playschool NPO 035-314) and (Twinkle Star 102-806), the church (Emmanuel Shepherd Fellowship NPO 178-454) and the E-centre occupying the facility be acknowledged and that they continue to sub-lease from Badisa at the same reduced rental, calculated pro rata/m²;

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- 1.7 Should the existing occupants vacate or cancel their lease agreements with the Municipality, the Community Development Section will have full right to identify and replace these occupants; and
- 1.8 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails an agreement to be concluded with a previous lessee and the community would benefit from the transaction. Furthermore, a competitive process was followed during which other parties will have the opportunity to submit an application.

Ref No: 15/4/1 (4953) W		Submitted by Department: Author/s: Referred from:	Corporate Son Williams Corp Serv Po	ortf - 17/10/2022
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6.7	LEASE OF THE MUNICIPAL PROPERTY, SITUATED ON ERF 8431, MARKET STREET, PAARL (WARD 4)
	HUUR VAN MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 8431, MARKSTRAAT PAARL (WYK 4)
	UKUQESHWA KWEPROPATI KAMASIPALA, KWISIZA 8431, MARKET STREET, PAARL (WADI 4)

#### **RECOMMENDED** that

- In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for the renewal of the lease of municipal property known as the squash club, measuring ±1 100m², situated on Erf 8431 Paarl Market Street, Paarl to the Paarl Squash Club, subject to the standard lease conditions as well as the following terms and conditions:
  - 1.1 The property will be leased at a subsidised rental amount of R657.25 per month (VAT excluded, 4% escalation per annum included);



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- 1.2 A lease period of 3 (three) years will apply backdated from 1 May 2022;
- 1.3 The lease be subject to a cancellation clause of three (3) months should the Municipality need the property for municipal or development purposes;
- 1.4 No sub-leasing or social functions will be allowed;
- 1.5 Paarl Squash Club will be responsible for the payment of all municipal services, connection fees and services consumption, etc., if applicable;
- 1.6 The property may only be used for sports purposes; and
- 1.7 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement. Furthermore a competitive process was followed during which other parties had the opportunity to submit an application. None were received.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (8431) W Coll No: 1984148		Submitted by Department: Author/s: Referred from:	Corporate S N Williams Corp Serv P	ervices ortf ~ 17/10/2022
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6.8 LEASE OF THE MUNICIPAL PROPERTY SITUATED ON A PORTION OF ERF 31005, FAURE STREET, PAARL (WARD 4)

VERHURING VAN MUNISIPALE EIENDOM GELEË OP 'N GEDEELTE VAN ERF 31005, FAURESTRAAT, PAARL (WYK 4)

UKUQESHWA KWEPROPATI KAMASIPALA EMI KWICEBA LESIZA 31005, FAURE STREET, PAARL (WADI 4)

#### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021), final approval be granted to lease the municipal property being a portion of Erf 31005 Paarl, known as the "Faure Street Stadium", ±70m² in extent, to Shift Academy (NPC 2021/199172/08) for a period of 2 (two) years for the purpose of a cycling academy, for social economic and youth sports development, subject to the standard lease conditions as well as the following conditions:
  - 1.1 A subsidised monthly rental of R91.53 (VAT excluded, including a 4% per annum escalation), backdated as from 1 June 2022;
  - 1.2 A lease period of 2 (two) years will apply;
  - 1.3 The subject property only be used for a cycling academy, for social economic and youth sports development and for no other purpose, specifically any commercial activity;
  - 1.4 The water and sewerage consumption be paid by the Municipality;
  - 1.5 Shift Academy be responsible for the payment of their electricity consumption;
  - 1.6 Shift Academy will not be allowed to sub-lease, cede or assign any of its rights;
  - 1.7 The proposed activities cannot infringe on the normal activities at the Stadium, specifically in that it remains for the Community and when an event is held at the Stadium that Shift Academy will not be allowed to use the facility, unless otherwise indicated by the Community Services Department: Sports and Recreation Section;
  - 1.8 Shift Academy is to inform the Community Services Department: Sports and Recreation Section of their daily/monthly activities;

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- 1.9 In the event that Shift Academy intend to host events or use the track a booking is to be made and they need to adhere to the SASREA Act (2010) by applying for an events permit;
- 1.10 Shift Academy to arrange and be responsible at their own cost for security of the lease area;
- 1.11 Shift Academy to apply at their own cost for a waste bin;
- 1.12 The facility (container) be and be kept in an aesthetically pleasing condition to the satisfaction of the Municipality; and
- 1.13 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that one objection was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails the upliftment of the youth through unique services for social, economic and youth sports development in the Drakenstein community. Furthermore a competitive process was followed during which other parties had the opportunity to submit an application. One objection was received.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (31005) P Coll No: 1972063		Submitted by Department: Author/s: Referred from:	Corporate S N Williams Corp Serv Po	ervices ortf – 17/10/2022
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6.9 RENEWAL OF LEASE OF THE MUNICIPAL PROPERTY, ALSO KNOWN AS THE "PAARL CANOE CLUBHOUSE" SITUATED ON ERF 33035 (AN UNREGISTERED PORTION OF ERF 8431), MARKET STREET, PAARL (WARD 19)

HERNUWING VAN HUUR VAN MUNISIPALE EIENDOM OOK BEKEND AS DIE "PAARL KANOKLUBHUIS" GELEË OP 'N GEDEELTE VAN ERF 33035 PAARL ('N ONGEREGISTREERDE GEDEELTE VAN ERF 8431) MARKSTRAAT PAARL (WYK 19)

UHLAZIYO LWENQESHISO YEPROPATI KAMASIPALA, EKWAZIWA NJENGE-"PAARL CANOE CLUBHOUSE" EMI KWISIZA 33035 (ICEBA ELINGABHALISANGA SIZA 8431), MARKET STREET, PAARL (WADI 19)

#### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2020) final approval be granted for the renewal of the lease of municipal property known as the Canoe Clubhouse, measuring ±5 508m², situated on Erf 33035 (unregistered portion of Erf 8431 Paarl) Market Street, Paarl to the Paarl Canoe Club, subject to the standard lease conditions as well as the following terms and conditions:
  - 1.1 The property will be leased at a subsidised rental amount of R821.17 per month being 5% of the market value (VAT excluded, 4% escalation per annum included);
  - 1.2 A lease period of 3 (three) years will apply backdated from 1 February 2022;
  - 1.3 No sub-leasing or social functions will be allowed;
  - 1.4 Social functions must be limited to events directly relating to club activities, i.e. award ceremonies, and no loud music is permitted at such functions:
  - 1.5 Measures be put in place so to ensure that the outside noise levels are at all times maintained within the relevant prescribed standards according to the noise regulations as published on 20 June 2013 under the Environment Conservation Act 73 of 1989;
  - 1.6 The lessee must ensure that the traffic flow to and from the clubhouse does not create a disturbing noise for the existing surrounding residents;

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- 1.7 Paarl Canoe Club will be responsible for the payment of all municipal services, connection fees and services consumption, etc., if applicable;
- 1.8 The property may only be used for sports purposes;
- 1.9 Due to the historical tradition, the starting point of the annual National Berg River Canoe Marathon be held at the Paarl Canoe Clubhouse; and
- 1.10 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement. Furthermore a competitive process was followed during which other parties had the opportunity to submit an application. None were received.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (31005) P Coll No: 1982390		Submitted by Department: Author/s: Referred from:	Corporate Se N Williams Corp Serv Po	ervices ertf – 17/10/2022
PAR;	ACTION:	RESPONSIBLE DEPARTMENT:		DUE DATE:

6.10 LEASE OF THE MUNICIPAL PROPERTY SITUATED ON ERF 2651 WELLINGTON (WARD 11)
HUUR VAN MUNISIPALE EIENDOM GELEË OP 'N ERF 2651 WELLINGTON (WYK 11)
UKUQESHWA KWEPROPATI KAMASIPALA EKWISIZA 2651 WELLINGTON (WADI 11)

### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for the lease in respect of the municipal property situated on Erf 2651 Wellington in Van Wyksvlei, measuring ± 629m² in extent, to Right to Care (NPO Registration Number 2001/001745/08), for community health and social purposes, subject to the standard lease conditions as well as the following terms and conditions:
  - 1.1 The property will be leased at a subsidised market rental of R261.37 (VAT excluded and 4 % escalation per annum included);

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- 1.2 The lease endures for a period of 2 (two) years;
- 1.3 The subject property only be used for community health and social purposes and no other activities will be allowed;
- 1.4 The Right to Care will be responsible for all municipal services, connection fees and services consumption, etc. if applicable; and
- 1.5 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the lease of the property be granted by way of direct negotiations as Right to Care will deliver a health service by providing monthly chronic medication that will be beneficial to the community. Furthermore a comprehensive process was followed during which other parties had the opportunity to submit an application. None were received.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (2651) W Coll No: 1982517		Submitted by Department: Author/s: Referred from:	Corporate Se N Williams Corp Serv Po	rvices rtf - 17/10/2022
PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

6.11 RENEWAL OF LEASE AGREEMENT OF MUNICIPAL PROPERTY BEING PORTION A OF THE BUILDING SITUATED ON ERF 645, MBEKWENI, MATHAKATHA STREET, MBEKWENI KNOWN AS THE "OLD MBEKWENI LIBRARY" (WARD 9)

HERNUWING VAN HUURKONTRAK VAN DIE MUNISIPALE EIENDOM SYNDE GEDEELTE A VAN DIE EIENDOM GELEË OP ERF 645, MATHAKATHASTRAAT, MBEKWENI BEKEND AS DIE "OU MBEKWENI BIBLIOTEEK" (WYK 9)

UKUHLAZIYWA KWESIVUMELWANO ESIQESHISELWEYO SEPROPATI KAMASIPALA ESIYINGXENYE A YESAKHIWO ESIKEISIZA 645, MBEKWENI, MATHAKATHA STREET, MBEKWENI EYAZIWA "NGETHALA LEENCWADI ELIDALA LASEMBEKWENI" (WADI 9)

#### **RECOMMENDED** that

 In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for

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### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

the renewal of the lease of Portion A of the municipal building known as the "Old Mbekweni Library", measuring ±108m² in extent, situated on Erf 645, Mathakatha Street, Mbekweni to Wagon of Hope (NPO Registration No. 2004/026762/08) for social and community purposes, subject to the standard lease conditions as well as the following conditions:

- 1.1 The property will be leased at a subsidised rental amount of R447.58 per month (VAT excluded, 4% escalation per annum included);
- 1.2 A lease period of 4 (four) years will apply backdated from 1 February 2022;
- 1.3 Wagon of Hope will be responsible for the payment of all municipal services, connection fees and services consumption, etc., if applicable;
- 1.4 The property may only be used for community and social purposes;
- 1.5 All existing lease conditions remain applicable; and
- 1.6 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement. Furthermore a competitive process will be followed during which other parties will have the opportunity to submit an application.

Meeting: MC - 19/10/2022 Ref No: 15/4/1 (645) M Coll No: 1983928		Submitted by Department: Author/s: Referred from:	Corporate S N Williams Corp Serv Po	ervices ortf - 17/10/2022
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:		DUE DATE:

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### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

6.12 LEASE OF A PORTION OF MUNICIPAL PROPERTY, ERF 1, PAARL MOUNTAIN NATURE RESERVE, PAARL (WARD 15)

VERHURING VAN 'N GEDEELTE VAN ERF 1 PAARL NATUURRESERVAAT, PAARL (WYK 15)
UKUQESHWA KWECEBA LEPROPATI KAMASIPALA, ISIZA 1, PAARL MOUNTAIN NATURE
RESERVE, PAARL (WADI 15)

#### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for the renewal lease of a portion of Erf 1 Paarl (Paarl Nature Reserve) measuring ± 23 225m² in extent to Sentech Soc Ltd (Registration Number 1990/001791/30) for the purpose of a transmitting station, subject to the standard lease conditions as well as the following terms and conditions:
  - 1.1 The property will be leased at a market related rental amount of R4 943.79 per month (VAT excluded, 5% escalation per annum included);
  - 1.2 The lease endures for a period of 5 (five) years as from 1 June 2022;
  - 1.3 Access to the 11kv overhead line transformer to the mass tower must be available for maintenance to the Engineering Services Department at all times;
  - 1.4 No temporary or permanent structures may be erected within 24m under or adjacent to the municipal services;
  - 1.5 The Engineering Services Department must be consulted prior to the construction of any upgrading work on the subject property;
  - 1.6 Access to the property must be requested from the Community Services Department; and
  - 1.7 All existing conditions of the agreement will remain applicable.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and

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### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement. Furthermore a competitive process was followed during which other parties had the opportunity to submit an application. None were received.

Ref No: 1	MC - 19/10/2022 5/4/1 (1) P 1982462		Submitted by Department: Author/s: Referred from:	Corporate So N Williams Corp Serv Po	ervices ortf - 17/10/2022
	PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

6.13 LEASE OF MUNICIPAL PROPERTY BEING ROOM C, SITUATED ON A PORTION OF ERF 2689, MATHAKATHA STREET, MBEKWENI (WARD 9)

HUUR VAN MUNISIPALE EIENDOM, KAMER C, GELEË OP ERF 2689, MATHAKATHASTRAAT, MBEKWENI (WYK 9)

UKUQESHWA KWEPROPATI KAMASIPALA ILIGUMBI C, ELIME KWICEBA LESIZA 2689, ISITALATP SASE MATHAKATHA, MBEKWENI (WADI 9)

#### **RECOMMENDED** that

- 1. In terms of Regulation 34 of the Municipal Asset Transfer Regulations read together with Paragraph 13 of the Asset Transfer Policy (2021) final approval be granted for the renewal of the lease in respect of the municipal property being Room C, situated on a portion of Erf 2689, Mathakatha Street, Mbekweni, measuring ±16m² in extent, to NS 64 Business Enterprises for business purposes, subject to the standard lease conditions as well as the following conditions:
  - 1.1 The property will be leased at a market rental of R501.28 per month (VAT excluded and 5% escalation included);
  - 1.2 A lease period of 5 (five) years will apply backdated from 1 April 2022;
  - 1.3 The subject property be used for business purposes and for no other purpose;
  - 1.4 All existing conditions of the agreement will remain applicable;
  - 1.5 The lessee be responsible for all municipal services, connection fees and services consumption etc., if applicable; and

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### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

- 1.6 All administrative, legal and technical requirements be adhered to.
- 2. It be noted that the proposed renewal of lease was advertised in the local press for objections, comments, representations and counter proposals/offers from other interested parties, and that none was received; and
- 3. In terms of paragraph 13 of the Asset Transfer Policy, the property be leased by way of direct negotiation as the transaction entails a renewal of an existing lease agreement. Furthermore a competitive process was followed during which other parties had the opportunity to submit an application. None were received.

Meeting: MC – 19/10/2022		Submitted by Department:	Corporate Services		
Ref No: 15/4/1 (2689) M		Author/s:	N Williams		
Coll No: 1984687		Referred from:	Corp Serv Portf – 17/10/2022		
	PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

6.14	PROPOSED SO	HEDULE OF	MEETING DAT	ES FOR COUNCIL, MAY	ORAL COM	MITTEE AND
	OTHER COMM	NITTEES OF C	OUNCIL: 2023			
	VOORGESTEL	DE SKEDL	JLE VAN	VERGADERDATUMS	VIR [	DIE RAAD,
	BURGEMEEST	ERSKOMITE	E EN ANDER K	OMITEES VAN DIE RAA	AD: 2023	
	ISINDULULO	SOLUHLU	LWENTSUKU	SENTLANGANISO	YEBHUNG	A, IKOMITI
	KASODOLOPH	IU KUNYENE	ZINYE IKOMIT	I ZEBHUNGA: 2023		

#### **RECOMMENDED** that

- 1. The proposed Council Meeting Program and schedule for 2023 be approved; and
- 2. The Speaker and Executive Mayor in consultation with the City Manager be mandated to adjust the meeting dates as needed as a result of changing circumstances.

Meeting: MC - 19/10/2022 Ref No: 3/3/1/2 Coll No: 1979565		Submitted by Department: Author/s: Referred from:	Corporate Services F Goosen Corp Serv Portf – 17/10/2022	
PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

Q a

### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

### 7. FINANCE

7.1 INDIGENT HOUSEHOLD STATISTICS REPORT AS AT 30 SEPTEMBER 2022

DEERNIS HUISHOUDING STATISTIEKEVERSLAG SOOS OP 30 SEPTEMBER 2022

INGXELO YAMANANI YEZINDLU ZAMAHLWEMPU NGOBUNJALO NGOMHLA
30 EYOMSINTSI 2022

### **RESOLVED that**

The report be noted.

Meeting: Mayco - 19/10/2022 Ref No: 9/1/1/4 Coll No: 1991580		Submitted by Department: Author/s: Referred from:	Financial Services A Abrahams Finance Serv Portf-18/10/2022	
PAR:	ACTION:	RESPONSIBLE DEPARTM	ENT:	<u>DUE DATE:</u>

7.2 COUNCILLORS' OUTSTANDING DEBT REPORT AS AT 30 SEPTEMBER 2022
RAADSLEDE SE UITSTAANDE SKULDVERSLAG SOOS OP 30 SEPTEMBER 2022
INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA 30 EYOMSINTSI 2022

### **RECOMMENDED** that

Council takes note of the contents of the report.

Meeting: Ref No: Coll No:	No: 9/1/1/4		Submitted by Department: Author/s: Referred from:	Financial Ser A Abrahams Finance Serv	
	PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

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### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

7.3	MUNICIPAL EN	PLOYEES OUTSTAI	NDING DEBT REPO	ORT AS AT 30 SEPTEM	MBER 2022	2
	MUNISIPALE	WERKNEMERS	UITSTAANDE	SKULDVERSLAG	soos	OP
	30 SEPTEMBER	2022				
	ITYALA LABASI	BENZI BAKWA MA	SIPALA NGOKWE	<b>NGXELO KA 30 EYO</b>	MSINTSI 2	022

### **RESOLVED** that

The content of the report and the actions implemented by the City Manager, be noted.

Meeting: Ref No: Coll No:	9/1/1/4		Submitted by Department: Author/s: Referred from:	Financial Ser A Abrahams Finance Serv	
PAR: ACTION:		RESPONSIBLE DEPART	MENT:	DUE DATE:	

7.4 QUARTERLY REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY: 1 JULY 2022 – 30 SEPTEMBER 2022

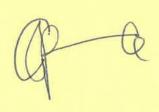
KWARTAALVERSLAG RAKENDE DIE IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBESTUURSBELEID: 1 JULIE 2022 – 30 SEPTEMBER 2022

INGXELO NGOKUMILISELWA KWENKQUBO YE SUPPLY CHAIN MANAGEMENT YOMASIPALA WASE DRAKENSTEIN: 1 EYEKHALA 2022 – 30 EYOMSINTSI 2022

### **RESOLVED** that

- 1. The report and Annexure A attached to the departmental report be noted; and
- 2. The report be made public in accordance with section 21(a) of the Municipal Systems Act.

Meeting:	MC - 19/10/2022		Submitted by Department:	Financial Se	rvices
Ref No:	9/1/1/4		Author/s:	C Hess	
Coll No:	1991859		Referred from:	Finance Ser	v Portf-18/10/2022
	PAR:	ACTION:	RESPONSIBLE DEPARTI	MENT:	DUE DATE:
1					



### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

7.5	REPORT ON TENDER AWARDS: SEPTEMBER 2022
	VERSLAG OOR TENDERTOEKENNINGS: SEPTEMBER 2022
	INGXELO NGONIKEZELO LWETHENDA: EYOMSINTSI 2022

#### **RECOMMENDED** that

- 1. The awards above R200,000 that were adjudicated by the Bid Adjudication Committee for the month of September 2022 be noted; and
- 2. The tenders and/or contracts and the reasons for the awards as recorded by the Accounting Officer in the departmental report be noted.

Meeting: Ref No: Coll No:	Mayco - 19/10/2022 8/1/2/1 1991786	- 1	Submitted by Department: Author/s: Referred from:	Financial Ser C Hess Finance Serv	Portf-18/10/2022
	PAR:	<u>ACTION:</u>	RESPONSIBLE DEPARTM	BENT:	<u>DUE DATE:</u>

7.6 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: SEPTEMBER 2022

VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: SEPTEMBER 2022

INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA

KWINKQUBO ZOKUFUMANA: EYOMSINTSI 2022

### **RECOMMENDED** that

In terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations for the amount of R1,696,765 (incl. VAT) for September 2022 as recorded by the Accounting Officer under the annexures attached to this report, be noted.

Meeting:	MC - 19/10/2022		Submitted by Department:	Financial Services	
Ref No:	9/1/1/4		Author/s:	C Hess	
Coll No:	1991787		Referred from:	Finance Serv Portf-18/10/202	
	PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	DUE DATE:

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## MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

7.7	.7 DRAKENSTEIN OUTSTANDING DEBTORS REPORT AS AT 30 SEPTEMBER 2022						
	DRAKENSTEIN UITSTAANDE DEBITEUREVERSLAG SOOS OP 30 SEPTEMBER 2022						
	INGXELO	YAMATYALA	ASE	DRAKENSTEIN	NGOBUNJALO	NGOMHLA	
	30 EYOMSI	NTSI 2022					

### **RESOLVED that**

The report be noted.

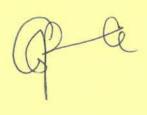
Ref No: 9/1/1/4		Submitted by Department: Author/s: Referred from:	Financial Services A Abrahams Finance Serv Portf-18/10/2		
	PAR:	ACTION:	RESPONSIBLE DEPARTMENT:		DUE DATE:

### CONFIDENTIAL

7.8	DRAKENSTEIN	OUTSTANDING	COUNCIL	PROPERT	Y LEASE	REPORT	AS	AT
	<b>30 SEPTEMBER</b>	2022						
	DRAKENSTEIN	UITSTAANDE	RAADSEIE	NDOM	HUURVERS	LAG SO	OS	OP
	<b>30 SEPTEMBER</b>							
	INGXELO YAM	ATYALA EPROPA	TI YEBHUN	GA LASE	DRAKENS	TEIN NGO	BUNJ	ALO
	NGOMHLA WE	30 EYOMSINTSI 2	022					

### See confidential minutes.

Meeting: Mayco - 19/10/2022 Ref No: 9/1/1/4 Coll No: 1991133		Submitted by Department: Author/s: Referred from:	Financial Services A Abrahams Finance Serv Portf-18/10/2022	
PAR:	ACTION:	RESPONSIBLE DEPART	MENT:	<u>DUE DATE:</u>



### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

# 7.9 WRITING-OFF OF IRRECOVERABLE DEBT REPORT – SEPTEMBER 2022 AFSKRYWING VAN ONINVORDERBARESKULDVERSLAG – SEPTEMBER 2022 INGXELO YOKUCINYWA KWAMATYALA ANGAHLAWULWAYO - EYOMSINTSI 2022

### See confidential minutes.

Meeting: Ref No: Coll No:	Mayco - 19/10/2022 5/15/1 1991110		Submitted by Department: Author/s: Referred from:	Financial Ser A Abrahams Finance Serv	
	PAR:	<u>ACTION:</u>	RESPONSIBLE DEPARTI	MENT:	<u>DUE DATE:</u>

7.10	WRITING-OFF OF IRRECOVERABLE DEBT (5.10 OF WRITING-OFF POLICY) - HANDOVER					
	ACCOUNTS					
	AFSKRYF V	AN ONVERHAALI	BARE SKULD	(5.10 VA	N AFSKRYWING	BELEID) -
	OORHANDIG	GDE REKENINGE				
		KWAMATYALA				NKQUBO
	WOKUCIMA	AMATYALA) - I AK	(HAWUNTI EZIN	NIKEZELWEY	0	

### See confidential minutes.

Meeting: Mayco - 19/10/20 Ref No: 5/15/1 Coll No: 1988719	22	Submitted by Department: Author/s: Referred from:	Financial Ser A Abrahams Finance Serv	
PAR:	ACTION:	RESPONSIBLE DEPART	IMENT:	<u>DUE DATE:</u>

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### MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

### **ADDITIONAL ITEMS**

7.11 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY AND 52 QUARTERLY BUDGET MONITORING REPORT FOR SEPTEMBER 2022

MUNISIPALE WET OP BESTUUR VAN FINANSIES: ARTIKEL 71 MAANDELIKSE EN 52 KWARTAALLIKSE BEGROTINGSMONITERINGSVERSLAG VIR SEPTEMBER 2022

UMTHETHO WOLAWULO LWEMALI KAMASIPALA: ICANDELO 71 INGXELO YOKUBEKA ESWENI ULAWULO LWABIWO-MALI LWENYANGA YOMSINTSI 2022

#### **RECOMMENDED** that

- 1. The content of the section 71 monthly budget monitoring report for September 2022 and the supporting documentation be noted;
- 2. The content of the section 52 quarterly report on the implementation of the budget and financial affairs of Drakenstein Municipality referred to in section 52(d) of the MFMA be noted; and
- 3. It be noted that the section 71 monthly and 52 quarterly budget monitoring report for September 2022 was submitted to the Executive Mayor; National Treasury and Provincial Treasury on 14 October 2022, being the 10th working day after the end of September 2022.

Meeting: MC - 19/10/2022 Ref No: 9/1/1/4 Coll No: 1992540		Submitted by Department: Financial Services Author/s: A Viola Referred from: Finance Serv Portf-15		
PAR;	ACTION:	RESPONSIBLE DEPARTM	MENT:	DUE DATE:

P 0

## MINUTES: MAYORAL COMMITTEE 19 OCTOBER 2022

# 7.12 NON-LEVYING OF INTEREST ON CONSUMER ACCOUNTS FOR AUGUST 2022 NIE HEFFING VAN RENTE OP VERBRUIKERSREKENING VIR AUGUSTUS 2022 OKUNGANIKEZELWA KOMDLA KWI-AKHAWUNTI ZABATHENGI NGO-AGASTI 2022

### **RECOMMENDED** that

Council condone the non-levying of interest on arrear consumer accounts for August 2022.

Meeting: MC - 19/10/2022 Ref No: 9/1/1/4 Coli No: 1994919		Submitted by Department: Financial Services Author/s: A Abrahams Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT	T: DUE DATE:	
		*		

8.	URGENT MATTERS	
	DRINGENDE SAKE	
	IMIBA ENGXAMISEKILEYO	

None.

The meeting ended at 10:49.

CHAIRPERSON:

DATE:

Confirmed with/without amendments.

FG/rs



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www.drakenstein.gov.za

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Civic Centre, Berg River Boulevard, Paarl 7646

### **Mayoral Committee Attendance Register**

Date: 19 October 2022

Time: 10:00

**Venue: Council Chambers** 

SURNAME	INITIALS	TITLE	SIGNATURE
POOLE	C	ALD	12-0
Executive Mayor		110	DE L
COMBRINK	GC	ALD	7/00/1-1
Deputy Executive Mayor			- Benton -
(Financial Services)	70	CILD	
BESTER	TG	CLLR	-25
(Engineering Services)		CILD	7
ANDREAS	MA	CLLR	Jue_
(Human Settlements)		0110	
ARENDSE	LC	CLLR	Follower
(Sport, Recreation, Arts and Culture)		011.0	
GOUWS	E	CLLR	Aprilogy
(Social Development)			' '
MILLER	J	CLLR	
(Governance and Compliance)		2112	0
BARON	E	CLLR	
(Corporate Services)			7
APPOLLIS	AMB	CLLR	
(Public Safety)			6/11
VAN NIEKERK	LT	CLLR	M. mucen.
(Planning and Development)			V)
VAN NIEUWENHUYZEN	RH	CLLR	0
[Communication and Inter-			1
Governmental Relations (IGR)]		0115	1
CYSTER	L	CLLR	HARDY
(Parks, Waste and Cemeteries)		N.B.	
LE ROUX	JF	ALD	Tillnes
SPEAKER		2112	- 1
KEARNS	С	CLLR	Q2 .
CHIEF WHIP			Lecuro

OFFICE OF THE! KANTOOR VAN DIE

CHIEF WHISHCOSSWEEP

CLLR/ ROL CHRISTEPHINE KEARNS

DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

19/10/22

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### **OFFICIALS**

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