KNYSNA LOCAL MUNICIPALITY

Notice is hereby given of a

GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

which will be held on

Tuesday, 7 July 2020

at

09:00

in the Council Chamber

to consider the following items

MUNICIPAL OFFICES

L SCHEEPERS

KNYSNA

ACTING MUNICIPAL MANAGER

AGENDA

Chairperson: Cllr CD Croutz
Members: Cllr M Matiwane
Cllr L Tyokolo
Cllr M Wasserman
Cllr I Uys
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1. Opening and Welcome

2. Attendance (as per attendance register)
   2.1 Members: Present
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   2.3 Members: Absent Without Leave
   2.4 Other Councillors Present
   2.5 Officials Present
   2.6 Members of the Audit Committee Present
   2.7 Members of the Public Present

3. Noting of the Provisions of Code of Conduct for Councillors and Declaration of Interest
4. MINUTES OF THE PREVIOUS MEETING

4.1 GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING: 4 FEBRUARY 2020

That the minutes of the Governance and Economic Development Committee meeting held on 4 February 2020, be confirmed.
KNYSNA LOCAL MUNICIPALITY

MINUTES

of a meeting of the

GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

held in the Council Chamber on

Tuesday, 04 February 2020

at

9:00
1. Opening and Welcoming

The Chairperson welcomed Councillors, Directors, officials and members of the public to the meeting.

2. In Attendance:

2.1 Members Present

Cllr CD Croutz  Chairperson
Cllr M Matiwane
Cllr L Tyokolo
Cllr C Weideman
Cllr E.O Van Aswegen from 09:05

2.2 Members Absent with leave

None

2.3 Members Absent without leave

None

2.4 Other Councillors Present

Cllr M Matiwane
Cllr M Naki
Cllr S Ngqezu
Cllr M Salaze
Cllr M Skosana
Cllr N Tsengwa
Cllr E van Aswegen
Cllr Matika

2.5 Officials Present

Makoma, P  Director: Corporate Services
Boyce, M  Director: Planning and Development
Hariparsad, P  Director: Technical Services
Phillips, E  Director: Community Services
Bezuidenhout, C  Manager: Communications and Customer Relations
Kalani, J  Manager: Public Participation
Phillips, L  Manager: Human Resources
McCartney, W  Chief Audit Executive
Vumazonke, S  Coordinator: Public Participation
Botha, M  Legal Services Advisor
Paulsen, M  Manager: Legal Services
Lakay, J  Head: Council and Committees
Mattheus, C  Manager: Administration
Burger, T  Senior Clerk: Council and Committees
Madokwe, S  Senior Clerk: Council and Committees
2.6. Members of the Audit Committee Present:

Barrell, R  
Thorpe, R

2.7. Members of the Public Present

As per attendance register.

3. Noting of the Provisions of Code of Conduct for Councillors and Declaration of Interest

RESOLVED

[a] That the provisions of the Code of Conduct for Councillors, be noted; and

[b] That it be noted that no Councillor declared any interest on any Item on the Agenda

4. CONFIRMATION OF MINUTES

4.1 GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING: 1 AUGUST 2019

RESOLVED

That the minutes of the Governance and Economic Development Committee meeting held on 1 August 2019, be noted.

5. MATTERS ARISING FROM THE MINUTES (EXECUTION LIST)

None

The Chairperson, in terms of Rule 3(2) of the Knysna Municipality’s Rules of Order for Internal Arrangements By Law, changed the order of the business appearing on the Agenda. The minutes reflect the order in which Items were considered.

6. MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

G03/02/2020 WESGRO PROGRESS REPORT ON TOURISM FUNCTION DELIVERY WITHIN THE GREATER KNYSNA MUNICIPAL AREA

The CEO, Mr Tim Harris and the General Manager, Ms Colleen Durant, of WESGRO delivered a presentation on their progress report.
UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the WESGRO report and presentation for the period 17 September 2019 to 11 January 2020, be noted;

File Number: 12/1/1/25
Execution: Director Planning & Development
Manager Economic Development

G04/02/2020 QUARTERLY PERFORMANCE REPORT – ECONOMIC DEVELOPMENT

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the Economic Development Department Quarterly Departmental Performance Report for Quarter 2 of 2019/2020, be noted.

File Number: 9/1/2/13
Execution: Director : Planning and Development
Manager : Economic Development

G11/02/2020 GREATER KNYSNA TOURISM DESTINATION PLAN

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

[a] That the amended report on Greater Knysna Tourism Destination Plan be noted;

[b] That the public comments on the draft Tourism Destination Plan be noted; and

[c] That the final Tourism Destination Plan be referred to the Mayoral Committee for consideration.

File Number : 9/1/2/13
Execution : Director : Planning and Development;
Manager : Economic Development

G16/02/2020 GREATER KNYSNA ECONOMIC DEVELOPMENT STRATEGY

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

[a] That the public comments on the draft Knysna Economic Development Strategy, be noted; and

[b] That the final Greater Knysna Economic Development Strategy be recommended to Council for consideration.

File Number : 9/1/2/13
EXECUTION: Director: Planning and Development; Manager: Economic Development

**G/01/02/2020**
**PUBLIC PARTICIPATION QUARTERLY REPORT: COMMUNITY WORK PROGRAMME**

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the Quarterly Report on the Community Works Programme activities for Quarter 2 of the 2019/2020 financial year, be noted.

File Number: 9/1/1/1
Execution: Director: Corporate Services

**G02/02/2020**
**COMMUNITY DEVELOPMENT WORKERS QUARTERLY REPORT: QUARTER 2 OF 2019/2020**

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the quarterly report on the Community Development Workers activities for Quarter 2 of the 2019/2020 financial year, be noted.

File Number: 9/1/1/1
Execution: Municipal Manager
Director: Corporate Services

**G07/02/2020**
**REPORT ON OHS AND EMPLOYEE MATTERS FOR QUARTER 2 OF 2019/2020 FINANCIAL YEAR**

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the quarterly report on the OHS and Employee Wellness activities for the period October to December 2019, be noted.

File Number: 9/1/2/8
Execution: Director: Corporate Services
Manager: Human Resources

**G05/02/2020**
**REPORT ON HUMAN RESOURCES MATTERS FOR QUARTER 2 OF 2019/2020 FINANCIAL YEAR**

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the quarterly report on the Human Resources activities for quarter 2 of the 2019/2020 financial year, be noted.

Execution: Director: Corporate Services
Manager: Human Resources
UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

[a] That the Corporate Services Service Delivery Budget Implementation Plan Quarterly Performance Report for the period October to December 2019, be noted; and

[b] That the report mentioned in [a] above be aligned with the Section 52 of the MFMA report for the corresponding quarter.

File Number : 9/1/2/8
Execution : Director : Corporate Services
Manager : Human Resources

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

That the quarterly report on the Occupational Health Safety & Employee Wellness activities for the period October to December 2019, be noted.

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

[a] That the report on the status of legal matters for the second quarter of 2019/2020, be noted;

[b] That an updated status report on the payment of a 20% Scarce Skills Allowance for Senior Managers (declaratory order) be submitted directly to the following Ordinary Municipal Council meeting.

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE MEETING

[c] That an updated status report regarding the dispute with Garden Route District Municipality regarding certain properties be submitted to a Special meeting of the Municipal Council.

File Number : 9/1/1/2
Execution : Director : Corporate Services
Manager : Legal Services
G09/02/2020 APPLICATION FOR RENEWAL OF LEASE AGREEMENT – SEDGEFIELD POST OFFICE – BUILDING ON A PORTION OF ERF 5009 SEDGEFIELD

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

[a] That the report on the request of the South African Post Office for the renewal of a lease agreement for the building on a portion of Erf 5009, Sedgefield, be noted;

[b] That the application for the renewal of the lease agreement between Knysna Municipality and the South African Post Office for the building on a portion of Erf 5009, Sedgefield be approved subject to the following conditions:

[i] The lease period be for 3 years (36 months) starting from 1 January 2020 with an option to renew for another 3 years;

[ii] The rental amount be determined at R8 000 per month with an escalation of 6% per annum;

[iii] The Municipal Manager concludes a lease agreement with the South African Post Office; and

[iv] Any arrears should be settled before the lease agreement is concluded.

Reference: L .215
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

G10/02/2020 REPORT BACK ON THE APPLICATION FOR A LEASE AGREEMENT FOR A PORTION OF ERF 210, UNION STREET, KNYSNA

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

[a] That the report back on the application of Marike Vreken Urban & Environmental Planners to lease a portion of Erf 210, Union Street, Knysna be noted; and

[b] That the application of Marike Vreken Urban & Environmental Planners to lease a portion of Erf 210, Union Street for purposes of parking, not be approved, as the property is needed to provide minimum basic services.

References: 7/2/2/1
Execution: Municipal Manager
Director Corporate Services
Manager: Legal Services
G12/02/2020  REPORT BACK ON THE APPLICATION TO PURCHASE ERF 121, KARATARA

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

[a] That the report back on the application to purchase Erf 121, Karatara, be noted;

[b] That the four (4) support letters received from the community of Karatara, in support of the application of Good News SA, be noted;

[c] That it be noted that the two (2) objections received from the Ward Committee members of Karatara were based on the need for housing;

[d] That it be noted that Erf 121, Karatara, is deemed not needed to provide the minimum level of basic Municipal Services in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003;

[e] That the application from Good News SA to purchase Erf 121, Karatara, be approved because of the exceptional benefit to the local community at a market related price;

[f] That the Municipal Manager enters into a sale agreement with Good News SA, on the lapse of the current lease agreement.

[g] That a further report on alienation of properties not adhered to be submitted.

File Number : 7/2/2/1
Execution: Municipal Manager
Director Corporate Services
Manager: Legal Services

G12 A/02/2020  REPORT ON THE EXECUTION OF RESOLUTIONS TO AUCTION PROPERTIES

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

That an urgent report be submitted to the Mayoral Committee regarding the execution of resolution to auction certain municipal owned properties previously occupied by staff.

File Number : 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

Body break from 14:30 to 14:45
REPORT BACK ON THE APPLICATION TO BUY A PORTION OF ERF 19086, DINANGWE, KNYSNA

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

[a] That the report back on the application to purchase a portion of Erf 19086, Knysna, abutting Erven 19087 and 19104, Knysna, be noted;

[b] That it be noted that the intended alienation of a portion measuring 96 m² of Erf 19086, Knysna to the adjacent owners of Erven 19087 & 19104, Knysna was advertised and no comments and/or objections were received;

[c] That it be noted that Erf 19086, Knysna is deemed not needed to provide the minimum level of basic Municipal Services in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003;

[d] That the application of Ms Ngentsu to purchase a portion of Erf 19086, Knysna, measuring 96 m² be approved;

[e] That Erf 19086, Knysna be disposed of in equal portions, between the owners of Erven 19087 & 19104, Knysna;

[f] That the owners of Erven 19087 & 19104, Knysna equally divide the cost as determined by the Municipal Valuer, DDP Valuers;

[g] That the owners of Erven 19087 & 19104, Knysna be responsible for any costs required to give effect to the subdivision of Erf 19086 and subsequent joinder thereof to their existing properties; and

[h] That the Municipal Manager enters into sale agreements with the owners of Erven 19087 & 19104, Knysna for the alienation of Erf 19086, Knysna

File Number: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

REPORT BACK ON THE APPLICATION TO PURCHASE ENCROACHED UPON LAND – ERF 17404 AND A PORTION OF ERF 17403 KNYSNA

UNANIMOUSLY RECOMMENDED TO THE MAYORAL COMMITTEE

[a] That the report back on the application received from Mr Mlisana to purchase Erf 17404 and a portion of Erf 17403, Knysna, abutting Erf 17405, Knysna, be noted;
[b] That it be noted that the intended alienation of Erf 17404 and a portion of Erf 17403, Knysna, abutting Erf 17405, Knysna was advertised in the local newspaper on the 19th October 2019;

c] That it be noted that a number of 52 residents of Dinangwe responded to the advert and have supported the intended alienation of Erf 17404 and a portion of Erf 17403, Knysna, abutting Erf 17405, Knysna;

d] That the application to purchase a portion of Erf 17403 not be approved as it is required for the basic municipal services;

e] That the application to purchase Erf 17404 which is encroached on by the owner of Erf 17405 be approved, on the following conditions:

(i) A formal land use approval application and building plan application must be made before the property can be utilised for any purpose;
(ii) A Waste Management Plan should be submitted to the Community Services Department;
(iii) The applicant be responsible for consolidation and rezoning of the property;
(iv) The property should be sold at market related value as determined by the municipal Valuer.

f] That the Municipal Manager enters into a sale agreement for the alienation of Erf 17404, Knysna, to the abutting owner of Erf 17405, Knysna;

g] That the owner of Erf 14705, Knysna be responsible for all costs associated with the alienation of Erf 17404, Knysna.

File Number : 7/2/1/2
Execution : Municipal Manager
Manager: Administration

G15/02/2020 REPORT : PROGRESS WITH INTERNAL AUDIT RECOMMENDATIONS : HUMAN RESOURCE SECTION

UNANIMOUSLY RESOLVED BY THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE

[a] That the report on the progress with implementation of the recommendations regarding the Human Resource Section from Ernst & Young Advisory Services (Pty) Ltd, be noted;

[b] That a consolidated report from Chief Audit Executive be submitted.

7. In committee Items (See separate agenda)
8. Closure

The Chairperson thanked everyone and the meeting concluded at 15:15

Chairperson: Cllr C Croutz

Date
5. MATTERS ARISING FROM THE MINUTES
6. MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER

6.21

G01/07/2020 WESGRO PROGRESS REPORT ON TOURISM FUNCTION DELIVERY WITHIN THE GREATER KNYSNA MUNICIPAL AREA

REPORT FROM THE DIRECTOR: PLANNING AND DEVELOPMENT

PURPOSE OF THE REPORT

To submit the WESGRO progress report for the period 17 September 2019 to 11 January 2020 as required by the Service Level Agreement that was entered into on 23 October 2018 between Knysna Municipality and WESGRO, in accordance with Council Resolution C09/08/18.

PREVIOUS RESOLUTIONS

Ordinary Council meeting 13 August 2018:

C09/08/18 TOURISM MANDATE AND FUNCTIONS

RESOLVED BY MAJORITY

That an intergovernmental contract in terms of the Local Tourism responsibilities as per Schedule 4 Part B of the South African Constitution be negotiated and entered into with WESGRO to carry out the functions of Local Tourism on behalf of the municipality, while the Sections 76 and 78 investigations as per the Local Government: Municipal Systems Act, 2000 and the current organisation reviews take place;

File Number: 8/1
Execution: Acting Municipal Manager

BACKGROUND

In accordance with Clause 7.3 of the service level agreement concluded between WESGRO and Knysna Municipality to carry out functions of Local Tourism on behalf of the municipality on 23rd October 2018, a quarterly report needs to be submitted to the Knysna Council on the progress.

DISCUSSION
The report is attached hereto as Annexure A.

FINANCIAL IMPLICATIONS

R 4.4 million incl. VAT paid as R1.1 million per quarter for the Year 2 reporting period.

RELEVANT LEGISLATION

Constitution of the Republic of South Africa Section 155 (6) (a) and (7) Schedule 4 Part B.
COMMENTS FROM THE MUNICIPAL MANAGER
No further comments

COMMENTS FROM CORPORATE SERVICES
Noted

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
For Consideration

COMMENTS FROM LEGAL SERVICES
The report and recommendations are in line with the provisions of the SLA

COMMENTS FROM IHS
Noted and supported

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER
That the WESGRO report be noted.

APPENDIX / ADDENDUM

Annexure A: WESGRO Progress Report
Annexure B: WESGRO Progress Report Presentation

File Number : 9/1/2/13
Execution : Director : Planning & Development
Manager : Economic Development
Knysna Municipality Section 80 Report
Governance & Economic Development

Meeting date: 5 May 2020

visit
knysna

Visit Knysna - a division of Wesgro

Reporting period:
12 January – 19 March 2020

Quarterly strategy vs budget report submitted to KM Economic Development
Updated 21 March 2020

"You do not build a destination for visitors: you build a destination for yourself. But you build it smartly and sophisticatedly enough so that visitors are attracted to it. It has to work for you. It has to work for your culture.”

Bill Geist, author of Destination Leadership for Boards and a contributor to Fundamentals of Destination Marketing
ADMINISTRATION:

OFFICE:

WESGRO update

Margie Whitehouse has been appointed as Chief Tourism (& Marketing) Officer for WESGRO. She commenced duty on 1 March 2020. In her portfolio, Margie is responsible for overseeing the marketing actions and operations of Visit Knysna.

Visit Knysna vehicle:

WESGRO purchased a vehicle and this will be leased by Visit Knysna for operational and marketing use. This vehicle has been branded “visit knysna”.

Municipal Account & Lease:

A copy of the signed lease has not yet been received by Visit Knysna. This query has now been addressed to Knysna Municipality’s Property Head. ONGOING

We are still querying the Water & Lights account with the properties department. ONGOING

Loving Local - SLA

The Service Level Agreement (SLA) with Loving Local – the shop that sells only locally made products and is operating from the Visit Knysna office at 40 Main Road – has been extended to coincide with the WESGRO / Knysna Municipality SLA period. The shop is a real value add to visitors that do come into the office for information and locals looking for locally-made gifts when travelling.

COVID-19: Office operations

As guided by WESGRO and a decision supported by the Knysna Municipality, the Visit Knysna office, as of 19 March, began operations remotely for most staff. One staff member remained on duty in the office, backed by the General Manager who was always on duty there, whilst the remainder of staff were assisted in order to be able to work from home. Daily reporting of actions undertaken to be recorded. This in light of the request for ‘social distancing’ and personal safety, whilst visitor numbers continued to decrease during very trying times for the tourism industry. This situation would be constantly monitored in anticipation of a change in the situation.

STAKEHOLDERS

Advisory Board

Meetings are held quarterly, as per SLA. However, it was agreed at the last meeting that took place on Monday, 3 February, that monthly informal gatherings take place with advisory representatives and other industry role players that would be affected by items under discussion. Our first informal meeting thus included conversation on planning and promotions for the upcoming trade travel exhibitions ITB, Germany and WTM Africa (– which both ended up being cancelled).

Our next Advisory Board meeting is scheduled for Monday, 4 May. Informal monthly gatherings have been haltered for now due to the COVID-19.

Stakeholder Engagements (meetings for product and public):

The quarterly stakeholders engagement, that was postponed from 5 February, was held on Friday, 13 March at Pili Pili, Sedgefield. A report on actions-to-date was presented by the GM and then Margie Whitehouse was introduced to the stakeholders. Margie discussed the strategy of domestic tourism as our immediate way forward, this to be done in collaboration with WESGRO’s DMO.

Visit Knysna – Section 80 Report: Jan – Mar 2020
Greater Knysna Business Chamber (GKBC) & Knysna Accommodation Association (KAA):

We continue to have regular interaction with the GKBC and KAA representatives as only by collaborating can we make progress in the interest of the Greater Knysna Area.

Visit Knysna - Newsletters:

Monthly newsletters are shared with stakeholders. These incorporate updates on industry happenings, upcoming events and Visit Knysna information of relevance.

During the COVID-19 and as of 17 March, newsletters are more frequent, relaying communication from the relevant government departments that is relevant to the tourism industry stakeholders.

MARKETING STRATEGIES:

The report below is based on actions and discussions that took place up to the point of crisis where COVID-19 unfolded. As of the date of the South African President’s speech on the evening of Sunday, 15 March 2020, the situation in the country became “business unusual”. Tourism businesses worldwide have been hugely impacted by the virus outbreak as travellers have been restricted / banned from travel and countries in “lock-down” to curb the spread.

1. Promote the Greater Knysna area

Marketing Creative

At the recent stakeholder’s engagement, Margie advised the products that we would continue with our existing brand and logo in order to progress swiftly with already delayed marketing activations. She felt that by revisiting a new brand, it would delay further actions, which is now a priority.

Furthermore, we would also work more closely with product to ensure a more streamlined offering in the market.

With WESGRO

Shared information on “new and unique experiences” in the area. These were promoted by WESGRO on their social media platforms. Included were:

- Zamani, the Pirate Boat
- American Barrel Boat – lagoon cruises
- Blokart ‘karting’ in Buffalo Bay: the promotion of this has subsequently stopped until relevant legal documentation (insurances, etc) are in place.
- New operators, including township tours
- New restaurants, coffee shops, etc
- Unique offerings include the houseboats, Knysna Seahorse, Scootours in the forests, etc.

Media Hosting:

Through South African Tourism – UK office, we have hosted the following media:

- 4 x Irish Journalists: their itinerary was from CT to Addo. We hosted them for 2 nights in Knysna. Coverage included:
  - Goukamma River, including Stand Up Paddle and Blackwaters River Lodge,
  - Waterfront and Thesen Harbour Town
  - Township Tour with Yengwa Tours
  - Scootours forest experience, etc.

Visit Knysna – Section 80 Report: Jan – Mar 2020
- UK Barmy Army TV Crew: television footage included:
  - Swartvlei lagoon and beach, Sedgefield
  - Belvidere Manor for lunch
  - Dinner on the paddle cruiser
  - Knysna surrounds: history, landmarks, seahorses, forests, etc.

With South African Tourism – Germany, hosted “Pop Idols Germany” filming of a series of this popular programme in the Greater Knysna Area. Locations included Teniqua Treetops accommodation and Nature’s Valley beach and forests with SANParks.

Itinerary proposals are always vetted and approved by South African Tourism, with their inputs.

**Databases:**

We continue to work on and expand our databases of information. These include products, events, media and operators.

**Budget to date:** 78% of Promote the Greater Knysna Area budget spent: on target

**Balance of budget:** Media educational, website content

2. **Improve the Attractiveness of the Greater Knysna Area**

**Research:**

We continue to work with our local products and WESGRO towards accurate statistics and data. The KAA are currently busy with statistics for the past couple of years and will work forward on a monthly basis.

Visit Knysna is in the process of drafting a questionnaire for our activity operators and should have statistics, starting from April 2020.

**Knysna Office walk-in visitor numbers:**

<table>
<thead>
<tr>
<th></th>
<th>May’19</th>
<th>June’19</th>
<th>July’19</th>
<th>Aug’19</th>
<th>Sept’19</th>
<th>Oct’19</th>
<th>Nov’19</th>
<th>Dec’19</th>
<th>Jan’20</th>
<th>Feb’20</th>
</tr>
</thead>
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<tr>
<td>Total</td>
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<td>200</td>
<td>122</td>
<td>144</td>
<td>93</td>
<td>117</td>
<td>125</td>
<td>130</td>
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</table>

**Sedgefield Office walk-in visitor numbers:**

<table>
<thead>
<tr>
<th></th>
<th>Sept’19</th>
<th>Oct’19</th>
<th>Nov’19</th>
<th>Dec’19</th>
<th>Jan’20</th>
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<tbody>
<tr>
<td>Total</td>
<td>77</td>
<td>89</td>
<td>82</td>
<td>222</td>
<td>233</td>
<td>242</td>
</tr>
</tbody>
</table>

*Higher numbers seem to be based on that it is a coffee shop*

**Tourism Sentiment Index (TSI)**

The report for 2018 is underway.  

**Promotional Material:**

**Maps:**

Tear-off maps are currently being updated and a new edition will be printed towards the end of March / beginning of April.

The updated folded maps were reprinted at the end of January.
3. **Trade Partnerships**

**Vakantiebeurs, Netherlands**: 15 – 19 January 2020

Visit Knysna exhibited on the South African Tourism (SAT) stand at this exhibition. Day 1 was a trade day and the next 4 days were consumer days. Other Knysna products in attendance were Blackwaters River Lodge, Destination Garden Route and Ocean Odyssey.

It was a very good show: the trade and consumers that visited the stand are actually coming to South Africa. Most consumers to the stand seem to be travelling in May, July or October / November.

**ITB, Berlin, Germany**: 4 – 8 March 2020 : CANCELLED

Visit Knysna was meant to exhibit to trade for the first time at this show. It was cancelled 4 days prior, including all meetings scheduled. We will communicate with all operators that work the Garden Route, as we did prior to ITB, updating them on our offerings.

**Educational / Familiarisation (Fam) Trips**:

From the Vakantiebeurs, and endorsed by SAT Netherlands, we hosted journalist Laura Weenink, a journalist that focusses on family travel. She was accommodated by Blackwaters River Lodge who also exhibited on this platform. Her visit to the Greater Knysna Area included Sedgefield, Rheenendal, Goukamma and Knysna.

**Meetings and other opportunities to engage / network**:
- We continue to use all opportunities to network with stakeholders and the community at large.

**Budget to date**: 83.8 % of Trade & Consumer Partnerships budget spent

  However, anticipate refunds from cancelled shows due to COVID-19

**Balance of Budget**: Was due for balance of exhibitions, that have now been cancelled.

4. **Event Marketing**

**Events Calendar**: 31 event were added to the listed on our website, most promoted on various social media platforms.

We supplied endorsement letters to a number of events that submitted applications to WESGRO for sponsorship funding.
Event panels, under the 3 x billboards, are updated and rotated on a continuous basis. However, this process changed after the president’s announcement on Sunday, 15 March with regards to gatherings during COVID-19. Event panels

Radio Promotions:

Radio campaigns continue monthly, as per contracts in place, on Cape Talk and Algoa FM. These have been used to promote upcoming events, but during this time of the Corona Virus, they will become generic adverts, reminding people about the reasons our Greater Knysna Area is beautiful and worth the visit. ONGOING.

**Knysna Oyster Festival (KOF) 2020** : Friday, 26 June – Sunday, 5 July 2020

After a process of advertising and applications, Andrew Finn was appointed as the contracted Festival Coordinator. He previously, under the Rotary banner, ran the Knysna Cycle Tour, which has now been contracted to the Speed Festival team.

A number of management and steering committee meetings have been hosted. A public meeting was scheduled for Wednesday, 25 March but cancelled after the president’s address on Sunday, 15 March.

A new website was developed as the previous site was out of date and dysfunctional. The new website domain is [www.KnysnaOysterFestival.co.za](http://www.KnysnaOysterFestival.co.za).

New flyers were developed for the Knysna Oyster Festival, specifically the Cycle Tour and Forest Marathon. Some were distributed at the Cape Town Cycle Tour, by exhibitors Karoo-to-Coast and Knysna Cycle Tour. The balance were for the 2 Oceans (Marathon & Expo) which have now been cancelled.

As of today’s date (Friday, 20 March), the Knysna Oyster Festival has not been cancelled. However, a decision is pending as the situation of the Corona Virus unfolds: we continue to monitor the situation.

**Budget to date:** 53% of Event Marketing budget spent

**Balance of budget:** Scheduled for Knysna Oyster Festival (KOF) and (now cancelled) exhibitions related to the promotion thereof. T.B.D.

5. **Business Tourism**

**International Adventure Conference – update:** now 2022

The International Adventure Research Conference that was mentioned in the previous meeting has been postponed by the organisers until January 2022 (from January 2021).

**General:**

We will continue to work with the recently established Greater Knysna Business Chamber (GKBC) to identify opportunity for collaboration to promote business, especially incentive, tourism to the region.

**Budget to date:** 0% budget for Business Tourism: was moved to KOF promotion

Visit Knysna – Section 80 Report: Jan – Mar 2020
6. Social & Digital Media

Website:
The website RFQ closed on 21 February. 11 Applications were received. WESGRO is currently in the process of evaluating the applications for compliance. A decision is imminent.

A brief summary of the requirements are as follows:

- Design and develop a mobile-first website
- Transfer, where possible, existing content to the new structure, in a modernised format.
- Source / create website content (written and imagery) using (local) professional copywriters / photographers
- Estimate costing for in-house training of website management.
  - Estimate costing for possible 18 month website maintenance contract

It is anticipated that the development process would take a minimum of 3 months.

Website & Social Media Statistics

Even with the (now old) current website, statistics are showing signs of activity improvement. Our social media platforms are also improving consistently as we become more interactive on the platforms. We continue to tag other platforms to expand our reach.

**Budget to date:** 25% of Promote the Greater Knysna Area budget spent

**Balance of budget:**
- New website, including content
- Paid / sponsored advertising on social media platforms

In closing:

COVID-19 has changed the face of the world right now and, even more so, that of the tourism industry. As travel became less of a global option due to the spread of the virus, so our numbers have declined, with some of our establishments already closed for business until further decisions can be made.
FINANCE:

Visit Knysna Budget & Spend: As at end December 2019, budget breakdown and spend to date.

VISIT KNYSNA: Financial year April 2019 - March 2020

<table>
<thead>
<tr>
<th>Subtotal 1.1: ONCE OFF EXPENDITURE - Capital</th>
<th>BUDGET</th>
<th>ACTUAL</th>
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<tbody>
<tr>
<td>Salaries</td>
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<td>R 1092 224.00</td>
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<tr>
<td>Salaries: performance bonus</td>
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<tr>
<td>UIF</td>
<td>R 9 015.00</td>
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<td>Medical aid</td>
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<td>Retirement Fund</td>
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<td>Temps / Casuals</td>
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<td><strong>Subtotal 1.2: ADMIN</strong></td>
<td>R 1746 730.00</td>
<td>R 1233 351.00</td>
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<thead>
<tr>
<th>2. Overheads:</th>
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<tbody>
<tr>
<td>Electricity</td>
<td>R 40 000.00</td>
<td>R -</td>
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<tr>
<td>Water / Knysna Municipality acc</td>
<td>R 1900.00</td>
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<td>Repairs &amp; Maint: office equipment/cleaning</td>
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<tr>
<td>LTE and Fibre for the office</td>
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<td>R 1647.00</td>
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<tr>
<td>Insurance: computers, etc</td>
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<td>Insurance: car</td>
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<td>Office rental / lease (p.a.): KM</td>
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<td>Internet/copier/printer rental</td>
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<td>Telkom: telephone line rental</td>
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<td>Per Diem</td>
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<td>Staff gifts as per policy</td>
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<td>Workflow licence</td>
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<td>R 4 207.00</td>
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<td>Staff functions</td>
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<td>Travel local</td>
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<td>Accommodation local</td>
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<td>Printing and Stationery</td>
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<td><strong>Subtotal 2: OVERHEADS</strong></td>
<td>R 379 888.64</td>
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TOTAL 1, 2 & 3 Operational budget : R 2 861 301.64
### 3.1 Awareness Marketing:

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<tr>
<th>Category</th>
<th>Budget 2020</th>
<th>Budget 2019</th>
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<tbody>
<tr>
<td>Tour Operators / Journalists/ Partners</td>
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<td>R 35 018,50</td>
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<tr>
<td>Satza Conference 2019:</td>
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<td>R 9 122,00</td>
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<td>Satza Roadshow 2019:</td>
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<tr>
<td>Participation</td>
<td>R 3 640,00</td>
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<tr>
<td>Sedgefield Information office (per RFP)</td>
<td>R 72 747,95</td>
<td>R 63 247,95</td>
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<td>Advisory</td>
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<tr>
<td>Stakeholder Engagements</td>
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<td>R 20 096,00</td>
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<td>Media events</td>
<td>R 5 000,00</td>
<td>R 1 500,00</td>
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<tr>
<td>LTO</td>
<td>R 1 500,00</td>
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<tr>
<td>Hosting</td>
<td>R 182 009,95</td>
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### 3.2 Attractiveness:

<table>
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<tr>
<th>Category</th>
<th>Budget 2020</th>
<th>Budget 2019</th>
</tr>
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<tbody>
<tr>
<td>TSI Research (20 Dec 2019) &amp; in 2020</td>
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<td>Promo Items</td>
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<td>Printing</td>
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<td>Photographs and Videos</td>
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<td>Light box &amp; Information signs</td>
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<td>R 12 559,92</td>
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<td>Maps, brochures, etc</td>
<td>R 150 000,00</td>
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<td></td>
<td>R 332 000,00</td>
<td>R 227 601,40</td>
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### 3.3 Trade & Consumer Partners:

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<tr>
<th>Category</th>
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<th>Budget 2019</th>
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<tbody>
<tr>
<td>Getaway 2019</td>
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<tr>
<td>Indaba 2019</td>
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<td>R 39 130,00</td>
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<tr>
<td>RTO/LTO Meetings</td>
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<td>Indaba 2020</td>
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<td>ITB Germany 2020</td>
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<tr>
<td>Participation, Travel, Per Diem, Accommodation to be determined</td>
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<td>Outdoor Expo 2019</td>
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<td>Workshop: TME</td>
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<td>Nordic SAT / WTM London (roaming) 2019</td>
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<td>Travel Emsini - cost in lieu of participation fee</td>
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<td>Vakantiebeurs / Roadshow 2020</td>
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<td>WTM South Afric 2019</td>
<td>R 15 100,00</td>
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<tr>
<td>Contribution &amp; Travel</td>
<td>R 15 100,00</td>
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<tr>
<td>WTM South Afric 2020</td>
<td>R 50 000,00</td>
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<tr>
<td>Contribution &amp; Travel</td>
<td>R 585 752,00</td>
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### 3.4 Event Marketing:

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<th>Category</th>
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<tr>
<td>Signage: event boards</td>
<td>R 65 000,00</td>
<td>R 67 591,20</td>
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<tr>
<td>Radio advertising campaigns: Algoa and Cape Talk</td>
<td>R 252 933,30</td>
<td>R 252 933,30</td>
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<tr>
<td>Sedgefield event boards</td>
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<td>Photography</td>
<td>R 5 000,00</td>
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<td>Hosting</td>
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<td>Advertising</td>
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<td>Cape Town cycle tour/Two Ocean events to promote KOF</td>
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<td>R 1 950,00</td>
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<tr>
<td>Oyster Festival 2020</td>
<td>R 200 000,00</td>
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<tr>
<td>Advertising Action Ads: Public Meeting</td>
<td>R 684 541,11</td>
<td>R 351 716,49</td>
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### 3.5 Business Tourism Marketing:

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<th>Service</th>
<th>Budget</th>
<th>Actual</th>
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</thead>
<tbody>
<tr>
<td>Meetings Africa/Incentives/Educational</td>
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<td>R 159 000.00</td>
</tr>
<tr>
<td>Hosting; MICE educational</td>
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<tr>
<td></td>
<td>R 4 251 204.70</td>
<td>R 3 193 093.77</td>
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### 3.6 Social Media & Digital:

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<th>Actual</th>
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<td>Website development</td>
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<tr>
<td>Content development &amp; copywriting</td>
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<tr>
<td>Sponsored advertising</td>
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<tr>
<td>Media promotion/Influencers/social media</td>
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<tr>
<td>Subtotal 3 : MARKETING</td>
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<td>R 1 624 642.65</td>
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</table>

**Budget Totals: 1 + 2 + 3**

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<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R 4 251 204.70</td>
<td>R 3 193 093.77</td>
</tr>
</tbody>
</table>

Budget is R 50 000.00 over due to allowance for Knysna Oyster Festival. This adjustment to be factored as budget expenditure continues.

**Budget to date:** 75% of budget spent (excluding comments from above)
Visit Knysna

a division of Wesgro

Strategy vs Budget Report to
Knysna Municipality
Governance & Economic Development
Section 80 meeting
Tuesday, 5 May 2020
Report from 12 January – 19 March 2020

www.visitknysna.co.za
ADMINISTRATION
OFFICE

• WESGRO Update:
  • Branded Visit Knysna vehicle by WESGRO.

• Municipal Account
  • Query on W&L account for 40 Main Road - ongoing.
  • Office Lease agreement: awaiting copy including KM signature - ongoing.

• Loving Local SLA
  • Locally produced only craft shop in Visit Knysna office: SLA extended to 31 October 2021.

• COVID-19
  • Office operations: staff working remotely from 19 March 2020. Only 1 to office.

www.visitknysna.co.za
STAKEHOLDERS

• Advisory Board:
  • Meeting held: 3 February 2020
    • Outcomes: Monthly informal meeting
  • Next meeting: 4 May 2020

• Stakeholder Engagements (meetings for product & public)
  • Meeting held: 13 March 2020 in Sedgefield
    • Introduction to Margie Whitehouse
  • Newsletters:
    • shared monthly
    • During COVID-19 outbreak: updates sent regularly
  • Regular networking engagements with industry

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MARKETING STRATEGIES
STRATEGY 1: PROMOTE THE GREATER KNYSNA AREA

• Marketing Creative:
  • To remain as is

• Media Hosting / Opportunities:
  • With WESGRO
  • SAT UK:
    • Irish Journalists
    • Barmy Army

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## STRATEGY 1: Strategy vs Budget

<table>
<thead>
<tr>
<th>STRATEGY &amp; MARKETING IMPLEMENTATION &amp; PERFORMANCE</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>PERFORMANCE</th>
</tr>
</thead>
</table>

### 3.1 Awareness Marketing:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Baseline</th>
<th>Actual</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tour Operators / Journalists/ Partners</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Sota Conference 2019</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Sota Roadshow 2019</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Participation</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Sedgefield information office</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Advisory</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Stakeholder Engagements</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Media events</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>LTO</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>Hosting</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
<tr>
<td>合计 (R)</td>
<td>R 12,000.00</td>
<td>R 25,000.00</td>
<td>-13,000.00</td>
</tr>
</tbody>
</table>

### Budget to date:
- 78% of Promote the Greater Knysna Area budget spent.

### Balance of budget:
- Media educational & website content.

---

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STRATEGY 2: IMPROVE THE ATTRACTIVENESS

- Destination Think’s TSI Report: 2018 report underway
- Research
  - Continue to work towards accurate statistics: with KAA, products & WESGRO

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STRATEGY 2: IMPROVE THE ATTRACTIVENESS

• Office Visitors (accurate, as per queries)
  - Knysna:

<table>
<thead>
<tr>
<th></th>
<th>May'19</th>
<th>Jun'19</th>
<th>Jul'19</th>
<th>Aug'19</th>
<th>Sep'19</th>
<th>Oct'19</th>
<th>Nov'19</th>
<th>Dec'19</th>
<th>Jan'20</th>
<th>Feb'20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>40</td>
<td>360</td>
<td>132</td>
<td>144</td>
<td>53</td>
<td>117</td>
<td>125</td>
<td>131</td>
<td>120</td>
<td>130</td>
</tr>
</tbody>
</table>

Top 5 countries:
- Germany
- Holland
- UK
- France
- Australia

• Sedgefield:

<table>
<thead>
<tr>
<th></th>
<th>Sep'19</th>
<th>Oct'19</th>
<th>Nov'19</th>
<th>Dec'19</th>
<th>Jan'20</th>
<th>Feb'20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>77</td>
<td>89</td>
<td>82</td>
<td>222</td>
<td>233</td>
<td>242</td>
</tr>
</tbody>
</table>

Top 5 countries:
- South Africa
- Holland
- UK
- Germany
- USA

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STRATEGY 2: cont.

• Promotional Material
  • Maps - Reprinted (- again) and distributed:
    • Tear-off maps
    • Folded maps
  • Flyers for Knysna Oyster Festival events
    • Cape Town Cycle Tour Expo
      • Cycle routes
    • 2 Oceans Expo
  • Selfie Frames: ongoing

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## STRATEGY 2: Strategy vs Budget

### Strategic Plan: Improve the Attractiveness of the Greater Knysna Area

<table>
<thead>
<tr>
<th>Description</th>
<th>Baseline</th>
<th>Actual 2020</th>
<th>Actual 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSI Research</td>
<td>R 42,000</td>
<td>R 41,805,00</td>
<td>R 41,805,00</td>
</tr>
<tr>
<td>Promo items</td>
<td>R 85,000</td>
<td>R 59,720,95</td>
<td>R 59,720,95</td>
</tr>
<tr>
<td>Printing</td>
<td>R 20,000</td>
<td>R 6,370,10</td>
<td>R 6,370,10</td>
</tr>
<tr>
<td>Photographs and videos</td>
<td>R 20,000</td>
<td>R 2,248,00</td>
<td>R 2,248,00</td>
</tr>
<tr>
<td>Light box &amp; Information signs</td>
<td>R 15,000</td>
<td>R 13,599,92</td>
<td>R 13,599,92</td>
</tr>
<tr>
<td>Maps, brochures, etc</td>
<td>R 150,000</td>
<td>R 104,817,13</td>
<td>R 104,817,13</td>
</tr>
<tr>
<td>Parking safety for visitors</td>
<td></td>
<td>R 352,000</td>
<td>R 352,000</td>
</tr>
<tr>
<td>Better signage to direct visitors to offices</td>
<td></td>
<td>R 273,801,40</td>
<td>R 273,801,40</td>
</tr>
<tr>
<td>RFP Sedgefield, including appointment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sedgefield Signage costing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sedgefield Tourist Office</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bookings and e-tickets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Budget to date:** 68.6% of Improve the Attractiveness budget spent

**Balance of budget:**
- Additional map reprints (ongoing)
- Budget allocation for Selfie Frames

[Visit Knysna Website]
STRATEGY 3: TRADE PARTNERSHIPS

- Vakantiebeurs, Netherlands  15 – 19 January 2020
  - Trade (1 day) & Consumers (4 days)
  - Family journalist hosted after exhibition

- ITB, Berlin, Germany: CANCELLED 4 days prior – COVID-19

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STRATEGY 3: Strategy vs Budget

**3.3 Trade & Consumer Partnerships**

<table>
<thead>
<tr>
<th>Event</th>
<th>Budget to date</th>
<th>Balance of budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Getaway 2019</td>
<td>R 76,791.25</td>
<td>83.8% of Trade &amp; Consumer Partnerships budget spent</td>
</tr>
<tr>
<td>Indaba 2019</td>
<td>R 33,900.00</td>
<td></td>
</tr>
<tr>
<td>IBTM London</td>
<td>R 32,094.95</td>
<td></td>
</tr>
<tr>
<td>ITB Germany 2020</td>
<td>R 45,900.00</td>
<td></td>
</tr>
<tr>
<td>Outdoor Expo 2019</td>
<td>R 42,909.10</td>
<td></td>
</tr>
<tr>
<td>Workshops, TMF</td>
<td>R 5,966.00</td>
<td></td>
</tr>
<tr>
<td>Nordic SAT/WTM London (roaming) 2019</td>
<td>R 80,298.00</td>
<td></td>
</tr>
<tr>
<td>Vakantiebeurs’ Readshow 2020</td>
<td>R 66,900.70</td>
<td></td>
</tr>
<tr>
<td>WTM South Africa 2020</td>
<td>R 90,000.00</td>
<td></td>
</tr>
<tr>
<td>WTM South Africa 2020</td>
<td>R 85,900.00</td>
<td></td>
</tr>
<tr>
<td>Contribution &amp; Travel</td>
<td>R 85,100.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>R 585,752.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>R 339,632.00</td>
<td></td>
</tr>
</tbody>
</table>

Budget to date: 83.8% of Trade & Consumer Partnerships budget spent.

Balance of budget: Was due to balance of exhibition which have now been cancelled (COVID-19)

---

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STRATEGY 4: EVENT MARKETING

- Online Calendar – 31 events added to calendar & promoted
- Radio Campaigns:
  - AlgoaFM – ongoing, monthly 15 x 30 second slots
  - Cape Talk – ongoing, monthly 17 x 30 second slots
- Event Panels: below billboards

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STRATEGY 4: cont.....

• Knysna Oyster Festival: 26 June – 5 July 2020
  • No sponsors
  • Visit Knysna budget adjustment:
    • Marketing & Promotion:
      • New website
      • Promotion at CT Cycle Tour (& 2 Oceans Expo – CANCELLED)
    • Event Coordinator - contract: Andrew Finn
  • Distributed “Application to Host Event”
  • DECISION PENDING......

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STRATEGY 4: Strategy vs Budget

**3.4 Event Marketing:*

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signage: event boards</td>
<td>R 80080.99</td>
</tr>
<tr>
<td>Radio advertising campaigns: Algeria and Cape Talk</td>
<td>R 262 903.39</td>
</tr>
<tr>
<td>Roadside event boards</td>
<td>R 29 801.81</td>
</tr>
<tr>
<td>Photography</td>
<td>R 5 800.89</td>
</tr>
<tr>
<td>Hosting</td>
<td>R 2 508.89</td>
</tr>
<tr>
<td>Advertising</td>
<td>R 9 800.89</td>
</tr>
<tr>
<td>Cape Town cycle tour/Two Ocean events to promote KOF</td>
<td>R 90 900.99</td>
</tr>
<tr>
<td>Knysna Oyster Festival (KOF) 2020</td>
<td>R 300 000.99</td>
</tr>
<tr>
<td>Advertising - Ads: Public Meeting</td>
<td>R 5 801.89</td>
</tr>
</tbody>
</table>

**Budget to date:** 53% of Event Marketing budget spent

**Balance of budget:** Knysna Oyster Festival (KOF) 2020: t.b.d

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visit knysna
STRATEGY 5: BUSINESS TOURISM

- With WESGRO’s Convention Bureau:
  
  As reported in last meeting, but postponed:
  
  Knysna to host International Adventure Research Conference:
  
  postponed now to January 2022.

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STRATEGY 5: Strategy vs Budget

<table>
<thead>
<tr>
<th>STRATEGY 5: BUSINESS TOURISM</th>
<th>3.5 Business Tourism Marketing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting planners' guide (digital)</td>
<td>Meetings Africa/Incentives/Educational</td>
</tr>
<tr>
<td>Audit of facilities/venues: collect</td>
<td>R</td>
</tr>
<tr>
<td>Per-and-post-show hosting/familialization tips</td>
<td>May 2019</td>
</tr>
<tr>
<td>Encourage local business forum (IPCO networking)</td>
<td>Tper year, incentive focus</td>
</tr>
<tr>
<td>Advocacy/Networking/Networking</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Budget to date: 0% of Business Tourism budget spent

Business activations to be reviewed in revised marketing strategy

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STRATEGY 6: SOCIAL & DIGITAL MEDIA

• New Website
  • Phase 2: finalising
    • Request for Quotations (RFQ): 11 received
    • WESGRO evaluating submissions: decision pending
  • Phase 3: Appointment & Implementation
    • Anticipated 3 month contract
    • Local content contractors

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STRATEGY 6: cont.

- Website statistics

<table>
<thead>
<tr>
<th>Month</th>
<th>Unique visitors</th>
<th>Number of visits</th>
<th>Pages</th>
<th>Hits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun 2019</td>
<td>9,277</td>
<td>17,961</td>
<td>65,831</td>
<td>750,112</td>
</tr>
<tr>
<td>Jul 2019</td>
<td>9,357</td>
<td>17,684</td>
<td>62,462</td>
<td>708,865</td>
</tr>
<tr>
<td>Aug 2019</td>
<td>9,204</td>
<td>18,668</td>
<td>69,667</td>
<td>858,289</td>
</tr>
<tr>
<td>Sep 2019</td>
<td>12,623</td>
<td>23,100</td>
<td>100,814</td>
<td>1,280,762</td>
</tr>
<tr>
<td>Oct 2019</td>
<td>13,089</td>
<td>24,374</td>
<td>108,041</td>
<td>1,431,067</td>
</tr>
<tr>
<td>Nov 2019</td>
<td>13,969</td>
<td>25,904</td>
<td>103,922</td>
<td>1,319,279</td>
</tr>
<tr>
<td>Dec 2019</td>
<td>13,675</td>
<td>25,708</td>
<td>112,537</td>
<td>1,224,884</td>
</tr>
<tr>
<td>Jan 2020</td>
<td>14,127</td>
<td>24,919</td>
<td>123,779</td>
<td>1,285,983</td>
</tr>
<tr>
<td>Feb 2020</td>
<td>12,274</td>
<td>22,292</td>
<td>105,252</td>
<td>1,060,349</td>
</tr>
</tbody>
</table>

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STRATEGY 6: cont.

- Facebook statistics

<table>
<thead>
<tr>
<th></th>
<th>JAN 19</th>
<th>FEB 19</th>
<th>MAR 19</th>
<th>APR 19</th>
<th>MAY 19</th>
<th>JUN 19</th>
<th>JUL 19</th>
<th>AUG 19</th>
<th>SEP 19</th>
<th>OCT 19</th>
<th>NOV 19</th>
<th>DEC 19</th>
<th>JAN 20</th>
<th>FEB 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Likes</td>
<td>168</td>
<td>105</td>
<td>150</td>
<td>122</td>
<td>97</td>
<td>118</td>
<td>83</td>
<td>62</td>
<td>75</td>
<td>71</td>
<td>137</td>
<td>311</td>
<td>111</td>
<td>54</td>
</tr>
<tr>
<td>Page Unlikes</td>
<td>23</td>
<td>13</td>
<td>23</td>
<td>20</td>
<td>19</td>
<td>21</td>
<td>23</td>
<td>24</td>
<td>15</td>
<td>25</td>
<td>18</td>
<td>30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engagements</td>
<td>1804</td>
<td>1904</td>
<td>1046</td>
<td>1510</td>
<td>1222</td>
<td>1494</td>
<td>2728</td>
<td>4185</td>
<td>3020</td>
<td>1910</td>
<td>8473</td>
<td>3448</td>
<td>3735</td>
<td>2560</td>
</tr>
<tr>
<td>Page Reach</td>
<td>33072</td>
<td>26313</td>
<td>23144</td>
<td>35624</td>
<td>24652</td>
<td>27500</td>
<td>38320</td>
<td>55653</td>
<td>37986</td>
<td>39271</td>
<td>60527</td>
<td>47636</td>
<td>49707</td>
<td>59275</td>
</tr>
</tbody>
</table>

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STRATEGY 6: Strategy vs Budget

Budget to date: 25% of Promote the Greater Knysna Area budget spent

Balance of budget: New website development, including content

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COMMENT as at 21 March 2020:

- Budget to date:

<table>
<thead>
<tr>
<th>BUDGET TOTALS: 1+2+3</th>
<th>R 4 251 264,70</th>
<th>R 3 193 023,77</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUDGET</td>
<td>ACTUAL</td>
<td></td>
</tr>
</tbody>
</table>

  Subject to adjustment with cancelled exhibitions: COVID-19

- COVID-19 has changed the face of and situation within the industry
- Marketing Strategy for 2020 / 2021 to be reviewed

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Thank you

Colleen Durant
Visit Knysna : General Manager (WESGRO)
GM@VisitKnysna.co.za
044 382 5510 / 083 786 7559

www.visitknysna.co.za
6.2

G02/07/2020 CORPORATE SERVICES SDBIP QUARTERLY PERFORMANCE REPORT: JANUARY TO MARCH 2020

REPORT FROM THE DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To report to the Committee on the Corporate Services SDBIP Quarterly Performance for the period January to March 2020.

FINANCIAL IMPLICATIONS

MTREF Operational budget – 2018\2019

COMMENTS FROM THE MUNICIPAL MANAGER

The report is noted.

COMMENTS FROM CORPORATE SERVICES

No further comments

COMMENTS FROM FINANCIAL SERVICES

Supported

COMMENTS FROM TECHNICAL SERVICES

Noted

COMMENTS FROM COMMUNITY SERVICES

Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT

Noted

COMMENTS FROM LEGAL SERVICES

No comment

COMMENTS FROM IHS

Noted and supported

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

That the Corporate Services SDBIP Quarterly Performance Report for the period January 2020 to March 2020, be noted.

APPENDIX / ADDENDUM


File Number: 9/1/2/8
Execution: Director: Corporate Services
Manager: Human Resources
<table>
<thead>
<tr>
<th>INDICATOR CODE</th>
<th>OBJECTIVE</th>
<th>KPI</th>
<th>Unit of Measurement</th>
<th>ANNUAL TARGET</th>
<th>QUARTER 4 TARGET</th>
<th>ACHIEVED / NOT ACHIEVED</th>
<th>EXPLANATION</th>
<th>REASONS FOR NON ACHIEVEMENT</th>
<th>REMEDIAL ACTION</th>
<th>CUSTODIAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>D34</td>
<td>To structure and manage the municipal administration to ensure efficient service delivery</td>
<td>Ensure progress towards Employment Equity target that are reported and monitored quarterly</td>
<td>Number of Employment Equity and/or Section 80 Meetings held (agenda and/or minutes of the relevant committees)</td>
<td>4 Employment Equity and/or Section 80 Meetings held</td>
<td>No Employment Equity Scheduled</td>
<td>Not Achieved</td>
<td>No Meetings were scheduled due to the freeze on the filling of vacancies.</td>
<td>N/a</td>
<td>N/a</td>
<td>Manager: HR</td>
</tr>
<tr>
<td>D35</td>
<td>Effective implementation of disciplinary procedures</td>
<td>Number of Section 80 meetings where the disciplinary procedures were tabled</td>
<td>4 Section 80 meetings where the disciplinary procedures were tabled</td>
<td>1 Section 80 meeting where the disciplinary procedures were tabled</td>
<td>Not Achieved</td>
<td>No Section 80 meetings were scheduled for this quarter to date.</td>
<td>N/a</td>
<td>N/a</td>
<td>Manager: HR</td>
<td></td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
<td>Unit of Measurement</td>
<td>ANNUAL TARGET</td>
<td>QUARTER 4 TARGET</td>
<td>ACHIEVED / NOT ACHIEVED</td>
<td>EXPLANATION</td>
<td>REASONS FOR NON ACHIEVEMENT</td>
<td>REMEDIAL ACTION</td>
<td>CUSTODIAN</td>
</tr>
<tr>
<td>---------------</td>
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<td>-------------------------</td>
<td>-------------</td>
<td>-------------------------------</td>
<td>----------------</td>
<td>-----------</td>
</tr>
<tr>
<td>D36</td>
<td>Percentage of people from employment equity target groups employed in the three highest levels of management in compliance with the approved Employment Equity Plan (EEP)</td>
<td>System approved EEP versus actual employment figures at 30 June</td>
<td>EE Plan</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Manager: HR</td>
<td></td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
<td>Unit of Measurement</td>
<td>ANNUAL TARGET</td>
<td>QUARTER 4 TARGET</td>
<td>ACHIEVED / NOT ACHIEVED</td>
<td>EXPLANATION</td>
<td>REASONS FOR NON ACHIEVEMENT</td>
<td>REMEDIAL ACTION</td>
<td>CUSTODIAN</td>
</tr>
<tr>
<td>----------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>---------------------</td>
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<td>--------------------------</td>
<td>----------------------------------------------------------------------------</td>
<td>------------------------------</td>
<td>-----------------</td>
<td>-----------</td>
</tr>
<tr>
<td>D37</td>
<td>Percentage budget spent on implementation of Workplace Skill Plan (WSP)</td>
<td>Percentage of budget spent on training in support of the WSP</td>
<td>90%</td>
<td>Not applicable</td>
<td>In Quarter 4.</td>
<td>Achieved</td>
<td>93% of the budget spent between April and May 2020.</td>
<td>N/A</td>
<td>N/A</td>
<td>Manager: HR</td>
</tr>
<tr>
<td>D38</td>
<td>To encourage the involvement of communities in the matters of local government, through the promotion of open channels of communication</td>
<td>Local Labour Forum (LLF)</td>
<td>Hold a minimum of four LLF meetings held</td>
<td>Achieved</td>
<td>Achieved</td>
<td>There were two LLF meetings held on 07 May and the other on 27 May 2020</td>
<td>N/A</td>
<td>N/A</td>
<td>Manager: HR</td>
<td></td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
<td>Unit of Measurement</td>
<td>ANNUAL TARGET</td>
<td>QUARTERLY TARGET</td>
<td>ACHIEVED / NOT ACHIEVED</td>
<td>EXPLANATION</td>
<td>REASONS FOR NON ACHIEVEMENT</td>
<td>REMEDIAL ACTION</td>
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| D3 9          | To structure and manage the municipal administration to ensure efficient service delivery | Provide legal opinion in respect of inputs on:  
- Policies;  
- Legislation;  
- Items to Council and Committees; and  
- Matters with legal impact | Percentage of legal opinions finalised within 7 working days | 90% of legal opinions finalised within 7 working days | 90% of legal opinions finalised within 7 working days | Achieved | Written, verbal, electronic mail and in meetings of Council and its committees | N/A | N/A | Manager: Legal Services |

<p>| D4 0          | Draft, peruse, edit and provide input on all contracts | Percentage of contracts reviewed or drafted within 7 | 100% of contracts reviewed or drafted within 7 | 100% of contracts reviewed or drafted within 7 | Achieved | 11 contracts drafted, edited or perused for the period 1 January 2020 – 31 March | N/A | N/A | Manager: Legal Services |</p>
<table>
<thead>
<tr>
<th>D4</th>
<th>working days</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Administer all appeals and objections received against the Tender Awarding process</td>
<td>Percentage of appeals and objections dealt within 7 working days</td>
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<tr>
<th>D42</th>
<th>working days</th>
<th>2020</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Submit signed sales agreements to Conveyancers to effect transfers</td>
<td>Percentage of signed sales agreements submitted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D43</th>
<th>working days</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To encourage the involvement of communities in the matters of local government, through the promotion of open channels of communication</td>
<td>Review and submit three By-laws to Council for consideration</td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
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<tr>
<td>D44</td>
<td>Ensure the Committee support service functions effectively in terms of the distribution of the approved minutes of the MPAC Committee meetings held</td>
<td>Percentage of minutes distributed with 10 working days after the meeting</td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
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## GOVERNANCE & ECONOMIC DEVELOPMENT COMMITTEE MEETING
### AGENDA
7 JULY 2020

<table>
<thead>
<tr>
<th>INDICATOR CODE</th>
<th>OBJECTIVE</th>
<th>KPI</th>
<th>Unit of Measurement</th>
<th>ANNUAL TARGET</th>
<th>QUARTER 2 TARGET</th>
<th>ACHIEVED / NOT ACHIEVED</th>
<th>EXPLANATION</th>
<th>REASONS FOR NON ACHIEVEMENT</th>
<th>REMEDIAL ACTION</th>
<th>CUSTODIAN</th>
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<tbody>
<tr>
<td>D47</td>
<td>To structure and manage the municipal administration to ensure efficient service delivery</td>
<td>Ensure effective administrative support to Council, Mayco and Section 80 Committees</td>
<td>Percentage of requests attended to within required date</td>
<td>100% of requests attended to within required date</td>
<td>100% of requests attended to within required date</td>
<td>Achieved</td>
<td>All requests have been attended to within the available relevant budget.</td>
<td></td>
<td></td>
<td>Manager: Administration</td>
</tr>
<tr>
<td>D48</td>
<td>Facilitate swift implementation of Council resolutions</td>
<td>Percentage of resolutions distributed to the accountable official within 3 calendar days after the meeting</td>
<td>50% of resolutions distributed to the accountable official within 3 calendar days after the meeting</td>
<td>50% of resolutions distributed to the accountable official within 3 calendar days after the meeting</td>
<td>Not Achieved</td>
<td>The resolutions (execution list) can only be circulated once the minutes have been perused by the Director Corporate Services and Municipal Manager and then signed by the Speaker</td>
<td>Lack of providing feedback on the execution of resolutions.</td>
<td>Execution lists are being created and submitted to the TMT to indicate the status of execution.</td>
<td>Manager: Administration</td>
<td></td>
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<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
<td>UNIT OF MEASUREMENT</td>
<td>ANNUAL TARGET</td>
<td>QUARTER 3 TARGET</td>
<td>ACHIEVED / NOT ACHIEVED</td>
<td>EXPLANATION</td>
<td>REASONS FOR NON ACHIEVEMENT</td>
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<tr>
<td>D40</td>
<td>To obtain annual approval in terms of Archive legislation and regulations for the disposal of official documents</td>
<td>Annual submission to the Department: Cultural Affairs and Sports, Western Cape Archives and Records Service by end August 2018</td>
<td>100% submission by end August 2018</td>
<td>Not applicable in Quarter 3</td>
<td>Already achieved in August 2018</td>
<td>The Provincial Archivist approved our application for disposal of the relevant files</td>
<td></td>
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<td>ANNUAL TARGET</td>
<td>QUARTER 2 TARGET</td>
<td>ACHIEVED/NOT ACHieved</td>
<td>EXPLANATION</td>
<td>REASONS FOR NON ACHIEVEMENT</td>
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<tr>
<td>D50</td>
<td>Ensure effective administration of information requests in terms of the Access to Information Act</td>
<td>Percentage of requests responded to within 30 days</td>
<td>100% of requests responded to within 30 days</td>
<td>100% of requests responded to within 30 days</td>
<td>N/A</td>
<td>No formal requests have been received by the administration section</td>
<td></td>
<td></td>
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<td>Manager: Administration</td>
</tr>
<tr>
<td>D51</td>
<td>Consideration of applications in terms of the Gatherers Act</td>
<td>Percentage of requests responded to within relevant deadline</td>
<td>90% of requests responded to within relevant deadline</td>
<td>90% of requests responded to within relevant deadline</td>
<td>Achieved, all applications have been dealt with</td>
<td>Numerous approvals have been granted</td>
<td></td>
<td></td>
<td></td>
<td>Manager: Administration</td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>IPI</td>
<td>Unit of Measurement</td>
<td>ANNUAL TARGET</td>
<td>QUARTER 2 TARGET</td>
<td>ACHIEVED / NOT ACHIEVED</td>
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<tr>
<td>D52</td>
<td>To encourage the involvement of communities in the matters of local government, through the promotion of open channels of communication</td>
<td>Council meetings</td>
<td>Number of quarterly meetings arranged for the financial year</td>
<td>4 quarterly meetings arranged for the financial year</td>
<td>4 quarterly meetings arranged for the financial year</td>
<td>Achieved</td>
<td>Three (2) Ordinary Council meetings were held from January to March 2020.</td>
<td></td>
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<tr>
<td>D53</td>
<td>To structure and manage the municipal administration to ensure efficient service delivery</td>
<td>Consideration of applications for events and festivals</td>
<td>Percentage of requests responded to within relevant deadline</td>
<td>90% of requests responded to within relevant deadline</td>
<td>90% of requests responded to within relevant deadline</td>
<td>Achieved</td>
<td>Approval ensures that all events fall within the Municipal By-Laws and Disaster Management and Safety Plans. 5 Event Applications received, 5 Events Approved.</td>
<td>n/a</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>INDICATOR CODE</td>
<td>OBJECTIVE</td>
<td>KPI</td>
<td>Unit of Measurement</td>
<td>Annual Target</td>
<td>Quarter 2 Target</td>
<td>Achieved / Not Achieved</td>
<td>EXPLANATION</td>
<td>REASONS FOR NON ACHIEVEMENT</td>
<td>REMEDIAL ACTION</td>
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<tr>
<td>D54</td>
<td>To encourage the involvement of communities in the matters of local government, through the promotion of open channels of communication.</td>
<td>Distribution of agendas for the ward committee members within 2 working days prior to the meeting.</td>
<td>Percentage of agendas distributed within the prescribed timeframe</td>
<td>90% of agendas distributed within the prescribed timeframe</td>
<td>90% of agendas distributed within the prescribed timeframe</td>
<td>Achieved</td>
<td>4 Formal Ward Committee Meetings took place and 1 meeting did not quorate. Ward 1: did not quorate Ward 2: 27 Feb 2020 Ward 6: 17 March 2020 Ward 10: 24 Feb 2020 Ward 11: 10 March 2020</td>
<td>n/a</td>
<td>n/a</td>
<td>Manager: Public Participation</td>
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</table>

<p>| D55            | Distribution of minutes for the ward committee within 2 working days. | Percentage of minutes distributed within the prescribed timeframe, after the meeting | 95% of minutes distributed within the prescribed timeframe, after the meeting | 95% of minutes distributed within the prescribed timeframe, after the meeting | Achieved | Minutes of the ward committee meetings are distributed within 2 working days: 4 Formal Ward Committee Meetings took place Ward 1: did not quorate Ward 2: 27 Feb 2020 Ward 6: 17 March 2020 Ward 10: 24 Feb 2020 Ward 11: 10 March 2020 | N/A | N/A | Manager: Public Participation |</p>
<table>
<thead>
<tr>
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<th>KPI</th>
<th>Unit of Measurement</th>
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<th>REMEDIAL ACTION</th>
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</table>
| D56            | Facilitation of public engagements per quarter | Number of engagements held per quarter | 40 engagements held per year | 6 engagements held in Quarter 3 (due to lockdown regulations) | Achieved | 6 Public meetings were held during this quarter:  
March 2020: Ward 1; 3 March 2020  Ward 5; 11 March 2020 | N/A | N/A | N/A | N/A | Manager: Public Participation |
| D57            | Facilitation of one training session for Ward Committees | Number of training sessions held for Ward Committee | training session held for Ward Committee | Not applicable in Quarter 3 | N/A | N/A | n/a | n/a | Manager: Public Participation |
6.3

APPLICATION FOR THE LEASING OF A PORTION OF ERF 255, KNYSNA FOR FARMING PURPOSES

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To request the Committee to recommend to Council to consider the application of Ms N Mamane to lease a portion of Erf 255, Knysna, along the N2, which does not exceed 3 hectares, for farming purposes, in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

BACKGROUND/DETAILS OF APPLICATION

An application was received from Nocwaka Olga Mamane, to lease a portion of Erf 255, Knysna from the Municipality for a period of ten (10) years with the option to renew for another five (5) years, (See Annexure A). The applicant wants to use the property in question for the establishing of farming activities. The applicant also requires the following from the Municipality:

i] Provision of electricity, water and sanitation;

ii] Some assistance of any nature regarding setting up brick and mortar structures for on-site residing purposes; and

iii] 3 hectares of land.

CURRENT ZONING

The current zoning of Erf 255, Knysna is Public Open Undetermined zone.

CURRENT USAGE OF PROPERTY (Viable or Non Viable Municipal Land)

The current usage of Erf 255, Knysna – Partially open space, a portion used by the community as a soccer field and there are people living on portions of Erf 255, Knysna.

ERF 255, Knysna is viable municipal property as the property can be developed on its own (see Annexure B).

CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL

The current value of Erf 255, Knysna is R 900 000.

INTENDED FUTURE USAGE OF PROPERTY

Part of the property in question was identified for housing development, in Heide Vallei and currently it is utilised as public open space, the informal soccer field and for residential purpose for the people living there.
LEGISLATIVE FRAMEWORK

Section 34 of the Asset Transfer Regulations 2008, deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

“Granting of rights to use, control or manage municipal capital assets

34. (1) A municipality may grant a right to use, control or manage a capital asset only after –

(a) the accounting officer has in terms of regulation 35 conducted a public participation process regarding the proposed granting of the right; and

(b) The municipal council has approved in principle that the right may be granted.

(2) Subregulation (1) (a) must be complied with only if –

(a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and

(b) a long term right is proposed to be granted in respect of the capital asset.

(3) (a) Only the Municipal council may authorise the public participation process referred to in subregulation (1)(a).

(b) A request to the municipal council for authorisation of a public participation process must be accompanied by an information statement stating –

(i) the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;

(ii) any expected benefits to the municipality that may result from the granting of the right;

(iii) any expected proceeds to be received by the municipality from the granting of the right; and

(iv) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.”

The area identified is not valued more than R10 million. The Asset Transfer Regulations describes “a long term” as “a period of longer than three years”. A public participation process regarding the proposed granting of the right is not required. However, the intended leasing of a portion of Erf 255, Knysna was advertised but no comments or objections were received.

“Consideration of proposals to grant rights to use, control or manage municipal capital assets

36. The municipal council must, when considering in terms of regulation 34(1)(b) approval for any proposed granting of a right to use, control or manage a capital asset, take into account –

(a) whether the capital asset may be required for the municipality’s own use during the period for which the rights is to be granted;

(b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;

(c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality’s interests;

(d) any comments or representations on the proposed granting of the right received from the local community and other interested persons;

(e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury;

(f) the interests of any affected organ of state, the municipality’s own strategic, legal and economic interests and the interests of the local community; and

(g) compliance with legislative regime applicable to the proposed granting of the right.”
As mentioned in the application, the property in question have been unutilized by the Municipality for a considerable period of time as it was reserved for the housing development, however, the public is using parts of the property in question for practising soccer and residential purposes. The applicant intends to start farming on the identified portion.

No comments or representations from the local community and other interested persons were received during the advertising process.

The application is submitted for consideration and recommendation to the Council for right of use and that all relevant legislation be complied with.

“40. Disposal management
(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;
(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset
(3) The Accounting Officer must ensure that –
   (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
   (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
   (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
   (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
   (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
   (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
   (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.”

Should Council approve the application, the lease amount should be a market related rate to be determined by a professional Valuer. The applicant/lessee would be responsible for the payment of all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of the property involved as reviewed annually.

Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:

“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –
[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and
the municipal council –

(i) has made the determinations required by section 14(2)(a) and (b); and
(ii) has a consequence of those determinations approved in principle that
the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset
proposed to be transferred or disposed of is a high value capital asset. If the combined
value of any capital assets a municipality intends to transfer or dispose of in any
financial year exceeds five per cent of the total value of its assets, as determined from its
latest available audited annual financial statements, subregulation (1)(a) must be
complied with in relation to all the capital assets proposed to be transferred or disposed
of during that year."

The Municipal Asset Transfer Regulations define “high value” as, “in relation to a capital asset
of a municipality or municipal entity, means that the fair market value of the capital asset
exceeds any of the following amounts:
(a) R50 million;
(b) One per cent of the total value of the capital assets of the municipality or municipal
entity, as determined from the latest available audited annual financial statements of
the municipality or entity; or
An amount determined by resolution of the council of the municipality or of the parent
municipality of the municipal entity which is less than (a) or (b).”

The intended leasing of a portion of Erf 255 Knysna was advertised for public comments
and/or objections (see annexure C), and no comments or objections were received.

Erf 255, Knysna is registered in the name of Knysna Municipality as per T7790/1975 (see
Annexure D).

Section 45 of the Asset Transfer Regulations 2008, that deals with Granting of rights to use,
control or manage municipal capital assets and reads as follows:

Agreements granting of rights to use, control or manage municipal capital assets

45. (1) A municipality or municipal entity may grant a right to use, control or
manage a capital asset to a private sector party or organ of state only by way
of a written agreement concluded between the municipality or entity and the
private sector party or organ of state to whom the right is granted.

(2) An agreement referred to in subregulation (1) must –

(a) set out the terms and conditions on which the right is granted, including, as a
minimum –

(i) a sufficient description of the capital asset in respect of which the right
is granted, in order to identify the asset;
(ii) particulars of any subsidiary assets that are to be made available with
the capital asset;
(iii) the period for which the right is granted;
(iv) the amount of compensation payable to the municipality or municipal
entity for granting of the right, and the terms and conditions of payment;
(v) requirements for the private sector party or organ of state to whom the
right is granted to maintain and safeguard the asset for its intended
purpose, taking into account the condition of the asset and its estimated
remaining life at the date of granting of the right;
(vi) where the asset is to be used by the municipality or municipal entity and the public sector party or organ of state to whom the right is granted, the basis of how the asset is to be shared as well as how the costs and benefits of the shared asset will be apportioned between the parties;

(vii) the extent to which the public sector party or organ state to whom the right is granted will be required to make improvements or enhancements to the asset, and the terms and conditions regulating such improvements or enhancements;

(viii) a statement to the effect that the risk and accountability for the asset is transferred to the public sector party or organ of state to whom the right is granted;

(ix) the effective date from which the risk and accountability for the asset is transferred; and

(x) a clause disallowing the private sector party or organ of state to whom the right is granted from ceding or subcontracting the right to another person; and

(b) be signed on behalf of the municipality or municipal entity and the private sector party or organ of state to whom the right is granted.

(3) If a long term right to a capital asset with a value in excess of R10 million is granted following the selection of a service provider for the performance of a municipal service referred to in regulation 41(2)(a) or for the performance of a commercial service referred to in regulation 41(2)(b), the agreement referred to in subregulation (1) –

(a) must contain provision for –

(i) contract termination in the case of non- or underperformance;

(ii) dispute resolution mechanisms to settle disputes between the parties; and

(iii) a periodic review of the agreement once every three years, in the case of an agreement for longer than three years; and

(a) may be incorporated into any service delivery agreement or procurement contract to be concluded with the service provider.

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
Report Generated from Corporate Services

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
The municipality will not be responsible for the provision of services to the site.

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
None
COMMENTS FROM LEGAL SERVICES
The recommendations are supported the legal implications will stem from the resolution of council and the agreement concluded

COMMENTS FROM IHS
Need to determine whether land parcels concerned can assist with the de-densification and medium to high-density affordable housing options.

PUBLIC PARTICIPATION PROCESS AND OUTCOME
The intended leasing of a portion of Erf 255, Knysna was advertised for public comments and/or objections in the Knysna-Plett Herald, Action Ads and Edge Community Newspaper. No comments and or objections was received before the closing date.

FINANCIAL IMPLICATIONS
This Municipal property must be leased at a market related rental as determined by a professional Valuer. There is no cost for the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

RELEVANT LEGISLATION
Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations
Management of Immovable Property Policy
Knysna Municipality Supply Chain Management Policy

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report on the application received from Ms Mamane, to lease a portion of Erf 255, Knysna, not exceeding 3 hectares, be noted;

[b] That it be noted that the intended leasing of a portion of Erf 255, Knysna was advertised for public comment/and/or objections and no comments or objections were received;

[c] That the advertising of the intention to lease a portion of Erf 255, Knysna, without a resolution of Council, be ratified;

[d] That the application to lease a portion to the extent of 3 hectares on Erf 255, Knysna for farming purposes not be approved as the property was identified for housing development, Heide Vallei, project;

ANNEXURES
Annexure A – Application from Nocwaka Olga Mamane
Annexure B – GIS Map
Annexure C – Advertisement
Annexure D – Deed Search

File Number : 7/2/1/2
Execution : Director: Corporate Services
Manager: Legal Services
Head: Properties
### WinDeed Database Deeds Office Property

**KNYSNA, 255, 0 (REMAINING EXTENT) (CAPE TOWN)**

#### GENERAL INFORMATION
- **Date Requested:** 2020/04/15 00:22
- **Deeds Office:** CAPE TOWN
- **Information Source:** WINDEED DATABASE
- **Reference:**

#### PROPERTY INFORMATION
- **Property Type:** ERF
- **ERF Number:** 255
- **Portion Number:** 0 (REMAINING EXTENT)
- **Township:** KNYSNA
- **Local Authority:** KNYSNA MUN
- **Registration Division:** KNYSNA RD
- **Province:** WESTERN CAPE
- **Diagram Deed:** 1467/2011
- **Extent:** 97 1319H
- **Previous Description:**

#### OWNER INFORMATION
- **Owner 1 of 1**
  - **Type:** LOCAL AUTHORITY
  - **Name:** MUN KNYSNA
  - **ID / Reg. Number:** -
  - **Title Deed:** 17790/1975
  - **Registration Date:** 1975/04/02
  - **Purchase Price (R):** -
  - **Purchase Date:** -
  - **Share:** 0.00
  - **Microfilm:** 1995 0374 4864
  - **Multiple Properties:** NO
  - **Multiple Owners:** NO

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#### HISTORIC DOCUMENTS
- No documents to display

#### DISCLAIMER
- This report contains information gathered from the WinDeed database and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. LexisNexis will not be liable for any damage caused by reliance on this report and for legal purposes encourage validation of ownership details with the Deeds Office. This report is subject to the terms and conditions of the WinDeed End User License Agreement (EULA).
Electrifying end to Oakhill’s season

Blake Under

In the last match of the season, Oakhill College held their historic stage, a performance that has drawn a lot of attention. The team would travel to the way to the Nelson West to compete for their season, coming up against the strong West Butte and Nicollets. The former would reach a total of 35 runs and take the victory in the afternoon.

The match was played at the West Butte, and the Nicolletts dominated on the field. The Nicolletts bowled out for a total of 35 runs and took the victory in the afternoon.

The match was played at the West Butte, and the Nicolletts dominated on the field. The Nicolletts bowled out for a total of 35 runs and took the victory in the afternoon.

The Nicolletts bowled out for a total of 35 runs and took the victory in the afternoon.
ANNEXURE B
ANNEXURE A

NOCWAKA OLGA MAMANE
21 NTLANGA STREET
KHAYAKETHU SOUTH
KNYSNA
6570
KNYSNA MUNICIPALITY
P.O.BOX 21
CLYDE STREET
KNYSNA
6570
30/01/2019
To whom it may concern:

APPLICATION LETTER OF VACANT LAND FOR POULTRY/CHICKEN AND PIG FARMING

I write this letter to ask permission to use land of portion Erf number 255, opposite industrial area or below the new tip.

I am in the process of applying for a development permit for poultry/chicken and pig farming. The size of this farm will not be more than 3 hectares for start-up purposes.

I was advised to go for this area because this erf has some of the following:

- Site plans
- Distance to surrounding sensitive land uses and other poultry farms.
- Water source and relevant licences
- Environmental management such as:
  - Manure and litter management strategies
  - Noise management

[Stamp: KNYSHA MUNICIPALITY]
[Stamp: 07 FEB 2019]

[Signature: [Name]]
[Signature: [Name]]
o Critical design features that minimise impacts on surface and
ground waters

Our request from the Knysna municipality;

- Provision of electricity, water and sanitation
- Temporal provision of these in the meantime will be good enough to
  start the community project
- Some assistance of any nature for Knysna municipality regarding setting
  up brick and mortar structures for on site residing purposes, to look
  after the stock preventing theft and future loss of equipment
- 3 hectare area does look sufficient enough to get started with this
  poultry/chicken and pig farming community project
- Lease agreement with the municipality for a ten year period first and be
  subject to renewal on agreed applicable terms and conditions that will
  be satisfactory to all parties

Including from the above we may come to you for various matters for this
farming community project to comply with requirements under applicable
government legislation.

For example;

- Environmental Protection Act 1994
- Vegetation management Act 1999
- Nature Conservation Act 1992
- Water Act 2000
- Animal care and protection Act 2001
- Environmental Protection and Biodiversity Conservation Act 1999
- Biosecurity Act 2014

I do hope to hear from you soon

Sincerely yours

[Signature]

Nocwaka Olga Mamane

Call 078 535 5058
6.4

G04/07/2020  APPLICATION FOR THE LEASING OF PORTIONS OF ERVEN 2731 AND 255, KNYSNA FOR A SCHOOL

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To request the Committee to recommend to the Municipal Council approval of the application for a long term lease of portions of erven 2731 and 255, situated at the corner of Vigilance Drive and George Rex Drive, Knysna for constructing a school in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

BACKGROUND/DETAILS OF APPLICATION

An application was received from the Knysna Christian Mission School, a private school catering for disadvantaged children whose parents are mainly domestic servants/gardeners, who have applied to lease portions of erven 2731 and 255, Knysna from the Municipality (See Annexure A). The applicant wants to use the property in question for the establishing of a school on the said premises.

CURRENT ZONING

The current zoning of the property in question is as follows:
1. Erf 2731, Knysna – Public Open Space; and
2. Remainder of Erf 255, Knysna – Undetermined Zone.

CURRENT USAGE OF PROPERTY (Viable or Non Viable Municipal Land)

The current usage of the property in question is as follows:
3. Erf 2731, Knysna – Public Open Space; and
4. Remainder of Erf 255, Knysna – Partially open space and partially trading area.

Both properties are viable municipal properties as they can be developed on their own (see Annexure B).

CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL

The current value of the property in question is as follows:
5. Erf 2731, Knysna – R 10 000; and

INTENDED FUTURE USAGE OF PROPERTY

There is no intended future usage of the property in question other than it being used as public open space.
LEGISLATIVE FRAMEWORK

Section 34 of the Asset Transfer Regulations 2008, deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

“Granting of rights to use, control or manage municipal capital assets

34. (1) A municipality may grant a right to use, control or manage a capital asset only after –

(a) the accounting officer has in terms of regulation 35 conducted a public participation process regarding the proposed granting of the right; and

(b) The municipal council has approved in principle that the right may be granted.

(2) Subregulation (1) (a) must be complied with only if –

(a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and

(b) a long term right is proposed to be granted in respect of the capital asset.

(3) (a) Only the Municipal council may authorise the public participation process referred to in subregulation (1)(a).

(b) A request to the municipal council for authorisation of a public participation process must be accompanied by an information statement stating –

(i) the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;

(ii) any expected benefits to the municipality that may result from the granting of the right;

(iii) any expected proceeds to be received by the municipality from the granting of the right; and

(iv) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.”

The area identified is not valued more than R10 million. The Asset Transfer Regulations describes “a long term” as “a period of longer than three years”.

“Consideration of proposals to grant rights to use, control or manage municipal capital assets

36. The municipal council must, when considering in terms of regulation 34(1)(b) approval for any proposed granting of a right to use, control or manage a capital asset, take into account –

(a) whether the capital asset may be required for the municipality’s own use during the period for which the rights is to be granted;

(b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;

(c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality’s interests;

(d) any comments or representations on the proposed granting of the right received from the local community and other interested persons;

(e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury;

(f) the interests of any affected organ of state, the municipality’s own strategic, legal and economic interests and the interests of the local community; and

(g) compliance with legislative regime applicable to the proposed granting of the right.”
As mentioned in the application, the property in question lies dormant and has been unutilized by the Municipality for a considerable period of time. However, the public is using parts of the property in question to walk their dogs etc.

A monthly rental must be determined by a professional Valuer. The applicant intends to create a private school on the premises.

No comments or representations from the local community and other interested persons were received during the advertising process.

No organ of state to be affected, nor the municipality's own strategic, legal and economic interests or the local community.

The application is tabled before the Municipal Council for an in principle approval that the right be granted and that all relevant legislation be complied with.

The vesting transfer process to transfer Erf 2731, Knysna into the name of Knysna Municipality should be done as the property is still registered in the name of Dirk de Vos / Doreen de Vos and others (see Annexure C).

“40. Disposal management
(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;
(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset
(3) The Accounting Officer must ensure that –
   (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
   (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
   (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
   (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
   (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
   (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
   (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.”

The leasing of the property involved should be done at a monthly market related rate to be determined by a professional valuer. The applicant/lessee should be responsible for the payment of all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of the property involved as reviewed annually by the Municipal Council.
Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:

“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –

[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

[b] the municipal council –

(i) has made the determinations required by section 14(2)(a) and (b); and

(ii) has a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset. If the combined value of any capital assets a municipality intends to transfer or dispose of in any financial year exceeds five per cent of the total value of its assets, as determined from its latest available audited annual financial statements, subregulation (1)(a) must be complied with in relation to all the capital assets proposed to be transferred or disposed of during that year.”

The Municipal Asset Transfer Regulations define “high value” as, “in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds any of the following amounts:

(a) R50 million;
(b) One per cent of the total value of the capital assets of the municipality or municipal entity, as determined from the latest available audited annual financial statements of the municipality or entity; or

An amount determined by resolution of the council of the municipality or of the parent municipality of the municipal entity which is less than (a) or (b).”

The intended leasing of portions of erven 2731 and 255 Knysna was advertised for public comments and/or objections (see annexure D).

Section 45 of the Asset Transfer Regulations 2008, that deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

Agreements granting of rights to use, control or manage municipal capital assets

45. (1) A municipality or municipal entity may grant a right to use, control or manage a capital asset to a private sector party or organ of state only by way of a written agreement concluded between the municipality or entity and the private sector party or organ of state to whom the right is granted.

(a) An agreement referred to in subregulation (1) must –

set out the terms and conditions on which the right is granted, including, as a minimum –

(i) a sufficient description of the capital asset in respect of which the right is granted, in order to identify the asset;

(ii) particulars of any subsidiary assets that are to be made available with the capital asset;

(iii) the period for which the right is granted;
(iv) the amount of compensation payable to the municipality or municipal entity for granting of the right, and the terms and conditions of payment;
(v) requirements for the private sector party or organ of state to whom the right is granted to maintain and safeguard the asset for its intended purpose, taking into account the condition of the asset and its estimated remaining life at the date of granting of the right;
(vi) where the asset is to be used by the municipality or municipal entity and the public sector party or organ of state to whom the right is granted, the basis of how the asset is to be shared as well as how the costs and benefits of the shared asset will be apportioned between the parties;
(vii) the extent to which the public sector party or organ state to whom the right is granted will be required to make improvements or enhancements to the asset, and the terms and conditions regulating such improvements or enhancements;
(viii) a statement to the effect that the risk and accountability for the asset is transferred to the public sector party or organ of state to whom the right is granted;
(ix) the effective date from which the risk and accountability for the asset is transferred; and
(x) a clause disallowing the private sector party or organ of state to whom the right is granted from ceding or subcontracting the right to another person; and

(b) be signed on behalf of the municipality or municipal entity and the private sector party or organ of state to whom the right is granted.

(3) If a long term right to a capital asset with a value in excess of R10 million is granted following the selection of a service provider for the performance of a municipal service referred to in regulation 41(2)(a) or for the performance of a commercial service referred to in regulation 41(2)(b), the agreement referred to in subregulation (1) –

(a) must contain provision for –
(i) contract termination in the case of non- or underperformance;
(ii) dispute resolution mechanisms to settle disputes between the parties; and
(iii) a periodic review of the agreement once every three years, in the case of an agreement for longer than three years; and

(a) may be incorporated into any service delivery agreement or procurement contract to be concluded with the service provider.

COMMENTS FROM SENIOR MANAGEMENT
None

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
Report submitted for consideration and site visit to be conducted before presenting to mayco

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None
COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
None

COMMENTS FROM LEGAL SERVICES
The recommendations are supported. The legal implications will stem from the conditions imposed by the council resolution and the agreement entered into

COMMENTS FROM IHS
Noted

PUBLIC PARTICIPATION PROCESS AND OUTCOME
The intended leasing of portions of erven 2731 and 255 Knysna was advertised for public comments and/or objections in the Knysna-Plett Herald, Action Ads and Edge Community Newspaper. No comments and or objections were received before the closing date.

FINANCIAL IMPLICATIONS
This Municipal property must be alienated at a market related price as determined by a professional Valuer. There is no cost for the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

RELEVANT LEGISLATION / RELEVANTE WETGEWING
Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations
Management of Immovable Property Policy
Knysna Municipality Supply Chain Management Policy

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report on the application to lease portions of erven 2731 and 255, situated at the corner of Vigilance and George Rex Drives in Knysna be noted;

[b] That it be noted that the intended leasing of portions of erven 2731 and 255, Knysna was advertised for public comment and/or objections and no objections were received;

[c] That the advertising of the intention to lease portions of erven 2731 and 255, Knysna, without a Council resolution, be ratified;

[d] That the vesting transfer process to transfer the ownership of Erf 2731, Knysna from the De Vos family into the name of Knysna Municipality should be done before approval of the lease;

[e] That the Committee recommends the approval of the application to lease the portions of erven 2731 and 255, situated at the Corner of Vigilance and George Rex Drives in Knysna for a period of 9 years and 11 months; in terms of Section 34(1)(b) of the Asset Transfer Regulations; on the following conditions:
1. The applicant will be responsible for all costs in relation to the lease of the portions;
2. Access to the leased area, may only be obtained via Boswerker Street, Industrial Area;
3. That the portions of the property leased should only be used for school purposes;

[f] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council consider the fair market value of portions of erven 2731 and 255, Knysna to be leased as determined by a professional Valuer, to be appointed in terms of the approved SCM process of Knysna Municipality;

[g] That the Municipal Manager enters into a long term lease agreement of 9 years and 11 months with the Christian Mission School, for the leasing of portions of erven 2731 and 255, Knysna;

[h] That in terms of Section 45(3)(a)(iii) of the Asset Transfer Regulations the lease agreement should include a periodic review of the agreement once every three years; and

ANNEXURES

Annexure A – Application from the Knysna Christian Mission School
Annexure B – GIS Map
Annexure C – Deed Searches
Annexure D – Advertisement

File Number: 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services
Head: Properties
**Electrifying end to Oakhill’s season**

By Blade Linde

In the last month of this season, Oakhill College’s cricket team had their run, clause out short after it was decided to take some time off for respite, following a 16-year-old’s well-earned stage at the top of the cricketing ladder. The team went on to win the big-ticket match against Wanderers, with a thrilling 33-run win. The team’s victory was a testament to the hard work and dedication of the players, and their coaches, Ryan and Luke McCarty.

Luke McCarty played a pivotal role in setting the team on a winning streak, scoring a well-earned century in the match. His innings was a perfect blend of power and precision, and his innings of 100 runs was instrumental in guiding his team to victory.

Ryan, on the other hand, was the rock that kept the team steady, scoring a solid 50 runs and anchoring the innings. His innings was a model of patience and control, and his partnership with Luke McCarty was instrumental in setting up the team for victory.

This month marks the end of this exciting chapter of the team’s season, and they look forward to the next season with renewed enthusiasm and determination.

---

**NOTICE OF THE INTENTION TO LEASE AND DISPOSAL OF MUNICIPAL OWNED LAND**

Notice is hereby given to the public that the MEC for Local Government, Community Development, Health and Social Development, has on or about the 25th of October 2020, tendered out the disposal of the property situated at 56, Oakhill Main Road, Oakhill, KwaZulu-Natal, for the purposes of disposal and to take possession of the property.

All interested parties are invited to submit their tenders to the tender clerk of the Municipal Council by 22nd November 2020. The tender documents are available for sale at the tender office, Oakhill Town Hall, Oakhill, KwaZulu-Natal.

Applications for the tender documents must be made in writing and must be submitted to the tender clerk no later than 14th November 2020. Only tenders that comply with the tender documentation and conditions will be considered.

---

Annexure D

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Page 87 | Page
WinDeed Database Deeds Office Property

KNYSNA, 2731, 0 (CAPE TOWN)

**GENERAL INFORMATION**

- **Date Requested**: 2020/04/15 00:23
- **Deeds Office**: CAPE TOWN
- **Information Source**: WINDEED DATABASE
- **Reference**: -

**PROPERTY INFORMATION**

- **Property Type**: Erf
- **Erf Number**: 2731
- **Portion Number**: 0
- **Township**: KNYSNA
- **Local Authority**: KNYSNA MUN
- **Registration Division**: KNYSNA RD
- **Province**: WESTERN CAPE
- **Diagram Deed**: DUM
- **Extent**: DUMDUM
- **Previous Description**: -
- **LPI Code**: C0300009000273100000

**OWNER INFORMATION**

**Owner 1 of 7**

- **Type**: PRIVATE PERSON
- **Name**: DE VOS DIRK
- **ID / Reg. Number**: 1712045047080
- **Title Deed**: T15249/1957
- **Registration Date**: 1957/10/24
- **Purchase Price (R)**: T/T
- **Purchase Date**: -
- **Share**: 0.20
- **Microfilm**: 1994 0360 4016
- **Multiple Properties**: NO
- **Multiple Owners**: NO

**Owner 2 of 7**

- **Type**: PRIVATE PERSON
- **Name**: DE VOS DOREEN
- **ID / Reg. Number**: 140506014008
- **Title Deed**: T16249/1957
- **Registration Date**: 1957/10/24
- **Purchase Price (R)**: T/T
- **Purchase Date**: -
- **Share**: 0.20
- **Microfilm**: 1994 0360 4016
- **Multiple Properties**: NO
- **Multiple Owners**: NO

**Owner 3 of 7**

- **Type**: PRIVATE PERSON
- **Name**: CROY CLARE MARGARET
- **ID / Reg. Number**: 490610
- **Title Deed**: T17307/1978
- **Registration Date**: 1978/07/24
- **Purchase Price (R)**: T/T
- **Purchase Date**: -
- **Share**: 0.25
- **Microfilm**: 1994 0360 3964
- **Multiple Properties**: NO
- **Multiple Owners**: NO
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**ENDORSEMENTS**
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**HISTORIC DOCUMENTS**
No documents to display

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**WinDeed Database Deeds Office Property**

**KNYSNA, 255, 0 (REMAINING EXTENT) (CAPE TOWN)**

### GENERAL INFORMATION
- **Date Requested:** 2020/04/15 09:22
- **Deeds Office:** CAPE TOWN
- **Information Source:** WINDEED DATABASE
- **Reference:**

### PROPERTY INFORMATION
- **Property Type:** ERF
- ** Erf Number:** 255
- **Portion Number:** 0 (REMAINING EXTENT)
- **Township:** KNYSNA
- **Local Authority:** KNYSNA MUN
- **Registration Division:** KNYSNA RD
- **Province:** WESTERN CAPE
- **Diagram Deed:** T407/2011
- **Extent:** 97.1310H
- **Previous Description:**
- **LPI Code:** C03600050300025500000

### OWNER INFORMATION
1. **Owner 1 of 1**
- **Type:** LOCAL AUTHORITY
- **Name:** MUN KNYSNA
- **ID / Reg. Number:**
- **Title Deed:** T7760/1975
- **Registration Date:** 1975/04/02
- **Purchase Price (R):**
- **Purchase Date:**
- **Share:** 100
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### DISCLAIMER
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ANNEXURE B
RE: Knysna Christian Mission School

My wife and I paid you a visit on 31-Jan 2019 with regards our need for a site to build a School. As advised I have written to Suzy Valentine at the Dept of Public works and I will attach that letter.

The Knysna Christian Mission School was started in 2010 with 20 students. We have steadily grown and now have 115 students and a staff of 13. This is a private School catering for disadvantaged children whose parents are mainly domestic servants/gardeners. We are registered with the Dept of Education and are a registered NPO. Our fees are in line with the Government Schools although we are a private School.

Historically we have struggled with premises. The School outgrew our first premises and we are currently renting retail premises in Melville Centre in the main road at a premium. The School is providing a substantial service to the community as there are not enough English medium schools in Knysna. The Schools are overcrowded to such an extent that we have been requested by the Dept of Education to extend the School to a High School. At the moment we cater for grade R to grade 7. We would like to extend the School but do not have the space and once again we need to find bigger premises.

The Governing body feels that it is time to build a more permanent School that can be extended as the School grows. Our track record is good and the time has come to build. The School has a substantial building fund from donations over the years. If we could find a suitable site we have enough funds to erect the building.

Over the last nine years we have made numerous attempts to acquire a site but we have not managed to make any headway. In consultation with yourself
we identified two possible sites. The first is Erf 2659 on the corner of the N2 and Bokmakierie St in lower Oldplace. I have attached a letter to Dept Public Works re this site which is zoned Education/School.

The second site is part of the Public Open Space adjoining the Industrial area in Vigilance drive. I think it is Erf 2731 or 255. This site is bordered by the Industrial Area on the East side, Vigilance Drive on the South side, The watercourse running behind the Vineyard Church on the Northern side and another watercourse on the South side. As there is at present no access due to the watercourses it is not used by anyone. Access will not be difficult to achieve and the School will not disturb any residents as there are none in the proximity.

This portion of the greater open space would be an ideal site for a School. We would urge you to put this proposal forward to Council. We would need to enter into a long term lease and believe that this presently unused land will be used for a worthy cause to the benefit of the residents of Knysna.

In conclusion I urge you not to let this appeal fall on deaf ears. We understand that there is a process to follow but please bear in mind that this is not a private appeal but an appeal for the benefit of the community.

Yours faithfully,

Chris Tait (Administrator)
6.5

G05/07/2020 APPLICATION TO PURCHASE ERF 70, RHEENENDAL

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT
To request the Municipal Council to consider the alienation of Erf 70, Rhenendal, Knysna, in terms of the Asset Transfer Regulations, 2008.

BACKGROUND/ DETAILS OF APPLICATION
The Good News Ministries applied to legally own Erf 70, Rheenendal which they are illegally occupying (See Annexure A).

There is no information available on permission given for the using of Erf 70 by The Good News Ministries.

Erf 70, Rheenendal is registered in the name of Knysna Municipality with Title Deed T54913/1987 (See Annexure B).

CURRENT ZONING
Erf 70, Rheenendal is zoned Open Space I.

CURRENT USAGE OF PROPERTY (VIABLE OR NON VIABLE MUNICIPAL LAND)
The Good News Ministries is illegally using the property in question as a Church.

CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL
Erf 70, Rheenendal is valued at R 10 000 on the valuation roll.

INTENDED FUTURE USAGE OF PROPERTY
The Municipality have no intended use for Erf 70, Rhenendal as the property is being used as a Church.

LEGISLATIVE FRAMEWORK
Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) deals with disposal of capital assets of municipalities and reads as follows:

“14. Disposal of capital assets:

(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.”
(2) A municipality may transfer or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –
   (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
   (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

(3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

(4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection 2(a) and (b) in respect of movable capital assets below a value determined by the council.

(5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111…"

Erf 70, Rheenendal is not needed to provide the minimum level of basic services. Erf 70, Rheenendal is currently illegally being used by The Good News Ministries it is not foreseen that Erf 70, Rheenendal is needed to provide the minimum level of basic municipal services.

The intended alienation of Erf 70 was advertised in the local newspapers to ensure that the process is fair, equitable, and transparent. The application to purchase Erf 70 is being brought before the Municipal Council to determine the process to dispose of the property in question and to make sure the process is consistent with the Supply Chain Management Policy of the Municipality.

The Knysna Municipality Supply Chain Management Policy 2018/19 approved by the Municipal Council on 6 June 2018 states the following with regards to “Disposal Management”;

“40. Disposal management
(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;
(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset
(3) The Accounting Officer must ensure that –
   (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
   (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
   (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
(d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
(e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
(f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
(g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.

The Municipality’s overall objective of its SCM Policy is to ensure the efficient, effective and uniform sale and letting of assets that conforms to constitutional and legislative principles and to ensure the efficient, effective and uniform management and disposal of goods and assets. The SCM Policy states land disposal will be as per the Asset Transfer Regulations and the applicable policy.

Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:

“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –

[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

[b] the municipal council –

(i) has made the determinations required by section 14(2)(a) and (b); and

(ii) has a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset. If the combined value of any capital assets a municipality intends to transfer or dispose of in any financial year exceeds five per cent of the total value its assets, as determined from its latest available audited annual financial statements, subregulation (1)(a) must be complied with in relation to all the capital assets proposed to be transferred or disposed of during that year.

The Municipal Asset Transfer Regulations define “high value” as, “in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds any of the following amounts:

(a) R50 million;
(b) One per cent of the total value of the capital assets of the municipality or municipal entity, as determined from the latest available audited annual financial statements of the municipality or entity; or

An amount determined by resolution of the council of the municipality or of the parent municipality of the municipal entity which is less than (a) or (b).”

This property thus is not deemed as a high value property as it is valued at R 10 000 on the current valuation roll and Sub-regulation (1) (a) thus does not have to be complied with. No public participation in terms of Sub-regulation (1) (a) thus need to be followed. It should however be noted that the intended alienation was advertised.
As per regulations 7 of the Asset Transfer Regulations the following should be taken into account:

(a) It is not foreseen that the Municipality would require Erf 70, Rheenendal for the Municipality’s own use at a later date;

(b) There would be no expected losses only gains as the property should be disposed of at a price not lower than market related;

(c) The compensation of not lower than market related value to be received by the Municipality will result in a significant financial benefit to the municipality as currently the Municipality is even not receiving rental for the using of Municipal owned property;

(d) There would be no risks for the Municipality after the Erf 70 is alienated as the new owner will carry all the risks;

(e) The alienation of Erf 70, Rheenendal would have no significant effect on the credit rating of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;

(f) No consequences for the Municipality in alienating Erf 70, Rheenendal because of limitations or conditions attached to the capital asset;

(g) It is estimated that Erf 70, Rheenendal be alienated at a cost of ±\( R \ 100 \ 000 \);

(h) There is no liabilities or reserve funds associated with Erf 70, Rheenendal;

(i) Not necessary to conduct public participation process as Erf 70, Rheenendal is not a High Value property. However, the intended alienation of Erf 70, Rheenendal was advertised;

(j) Not necessary to conduct public participation process as Erf 70, Rheenendal is not a High Value property. No views and recommendations on the proposed transfer requested from National Treasury and the relevant provincial treasury;

(k) Not necessary to conduct public participation process as Erf 70, Rheenendal is not a High Value property. No interests of any affected organ of state and interests of the local community requested; and

(l) The request for transfer of Erf 70, Rheenendal is being tabled before the Municipal Council to comply with all relevant legislation and policies applicable to the transferring of Municipal owned capital.

The purpose of the Knysna Municipality Management of Immovable Property Policy is to provide a framework for the management and disposal of the municipality’s land and other immovable capital assets that are not needed to provide the minimum level of basic municipal services and that are surplus to the municipality’s requirements. The Municipality’s land and other immovable capital assets shall be disposed of in the manner as provided for in the Management of Immovable Property Policy.

The general Principles pertaining to the disposal of immovable property and rights in immovable property requires that the disposal of viable immovable property shall be affected by means of a process of public competition and at market value except when the public interest or the plight of the poor demands otherwise.
Erf 70, Rheenendal can be declared as surplus and be earmarked for disposal. The Management of Immovable Property Policy describes the most appropriate use for a surplus property is one which achieves an optimum balance between the following three key elements of sustainable development:

(i). the protection of ecological processes and natural systems;
(ii). the optimum financial return to and economic development of the municipal area; and
(iii). the enhancement of the cultural, economic, physical and social wellbeing of people and communities.

According to the Management of Immovable Property Policy Council may use any of the following methods of disposal, depending on the circumstances pertaining to the specific property:

(i). Formal Tender;
(ii). Public Auction;
(iii). Closed Tender; and
(iv). Unsolicited proposals.

The proposed method of disposal is by formal tender as according to the Management of Immovable Property Policy as disposal by qualified tender is the most appropriate as the land ownership position is complex due to the history of Erf 70, Rheenendal and the fact that Church property is needed in the Rheenendal area. It is thus proposed that Erf 70, Rheenendal should be put out in formal tender for the development of religious or social care use. The unsolicited bid for the disposal of Erf 70, Rheenendal to The Good News Ministries cannot be entertained as the provision of land for social care uses is not part of the Council’s IDP Objectives for Rheenendal.

The following factors shall be considered relevant in the selection and allocation of immovable property to places of worship (these factors should be included in the tender documents for the disposal of Erf 70, Rheenendal): -

(a) The size of the congregation / membership.
(b) Availability of finance to acquire the site and develop same within two years plus possible extension.
(c) Whether or not such a denomination is already represented in the area.
(d) Whether or not welfare type facilities / activities will be provided in addition to religious facilities.
(e) Whether or not the congregation / membership is drawn from the area in which a site is being applied for.

COMMENTS FROM SENIOR MANAGEMENT

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
For consideration by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted
COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
None

COMMENTS FROM LEGAL SERVICES
Recommendations are supported. The legal implications will stem from the conditions imposed by the resolutions and the agreement entered into.

COMMENTS FROM IHS
Need to determine whether land has potential for affordable housing or basic services use.

PUBLIC PARTICIPATION PROCESS AND OUTCOME

The intended alienation of Erf 70, Rheenendal was advertised in the local newspapers and also put on the notice board at the Rheenendal office (see Annexure C). Only one letter was received from The Good News Ministries, requesting primary option of acquiring or gaining ownership of Erf 70, Rheenendal, which they are currently occupying (see Annexure D).

FINANCIAL IMPLICATIONS

This Municipal property must be alienated at a market related price to be determined by a professional Valuer, as prescribed by the different legislation as stated. There is no cost for the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

The Municipal Valuer, DDP Valuers determined the market related price for Erf 70, Rheenendal in 2017 as being R100 000 (see Annexure E).

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations
Management of Immovable Property Policy
Knysna Municipality Supply Chain Management Policy

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report and annexure’s regarding the alienation of Erf 70, Rheenendal submitted to the Governance and Economic Development Committee meeting dated 7 July 2020 be noted;

[b] That the intended alienation of Erf 70, Rheenendal that was advertised for public comment and/or objections be noted;

[c] That it be noted only the applicant commented/objected during the public participation process;
[d] That the advertising of Erf 70, Rheenendal, without the Municipal Council’s approval be rectified and approved by the Municipal Council;

[e] That in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the Municipal Council confirms the portion of Erf 70, Rheenendal to be alienated, are deemed not needed to provide the minimum level of basic Municipal Services;

[f] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council consider the fair market value of Erf 70, Rheenendal, as determined by the Municipal Valuer, DDD Valuers at **R100 000.00** and the economic and community value to be received in exchange for the Property;

[g] That in terms of Section 5(b)(ii) of the Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations the Municipal Council approve in principle that Erf 70, Rheenendal may be disposed of;

[h] That the Municipal Manager be requested to put the alienation of Erf 70, Rheenendal out on public tender for the utilisation as Social Care use; and

[i] That the following factors should be included in the tender document for the disposal of Erf 70, Rheenendal:

   i] The size of the congregation / membership;
   ii] Availability of finance to acquire the site and develop same within two years plus possible extension;
   iii] Whether or not such a denomination is already represented in the area;
   iv] That the reserve price be determined as R100 000 as determined by the Municipal Valuer;
   v] Whether or not welfare type facilities / activities will be provided in addition to religious facilities; and
   vi] Whether or not the congregation / membership is drawn from the area in which a site is being applied for.

**ANNEXURES**

**ANNEXURE A** – Application letter from The Good News Ministries dated 15 August 2017

**ANNEXURE B** – Deed search for Erf 70, Rheenendal

**ANNEXURE C** – Advertisement dated 12 March 2020

**ANNEXURE D** – The Good News response to advert

**ANNEXURE E** – Municipal Valuation report by DDP dated 29 Aug 2017

File Number : 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services
Valuation Report

PROPERTY:
Erf 70 Rheenendal
Erf 534 Rheenendal

REFERENCE No:
DDPMUN1302

REPORT No:
01

DATE:
29 August 2017

Report prepared by:
Comé Theron
# Table Of Contents

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1. **CONTACT DETAILS**

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<th>Renwill Hardnick</th>
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<tr>
<td>Address</td>
<td>P.O. Box 21, Knysna 6570</td>
</tr>
<tr>
<td>Phone</td>
<td>044-302 6459</td>
</tr>
<tr>
<td>Fax</td>
<td>086-629 5042</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:rhardnick@knysna.gov.za">rhardnick@knysna.gov.za</a></td>
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2. **SUMMARY OF KEY FACTS**

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3. INTRODUCTION

3.1. INSTRUCTION

DDP Valuers was instructed by Knysna Local Municipality as represented by Mr Renwill Hardnick to determine the current market value of the properties as described in this report.

3.2. PURPOSE OF VALUATION

The purpose of this valuation report is to determine the fair market value of the subject properties as at the date of valuation.

3.3. METHOD OF VALUATION

Comparable sales method of valuation:

The Sales Comparison Approach to value compares the subject property to similar properties that have sold under similar market conditions. The value indicated is established by comparing the subject property with similar properties, called comparable sales. Comparable sales are recent property transactions of properties that were sold in accordance with the definition of market value.

The International Valuation Standards 2007 defines the sales comparison method as: “The comparative approach considers the sales of similar or substitute properties and related market data, and establishes value estimated by processes involving comparison.

Accrued Depreciation method of valuation:

The method used for determining the open market value of the improvements is the accrued depreciation method of valuation. Accrued depreciation is a loss in value from the replacement cost of improvements due to physical deterioration, functional obsolescence and economical obsolescence. After identifying and measuring the separate elements of the accrued depreciation, the value of the applicable type of depreciation are deducted from the replacement cost of the improvements.

The resulting difference is the estimated present value of the improvements. Theoretically, depreciation can begin to accrue from the moment construction is completed even in a building that is functionally the highest and best use of a site.

3.4. DEFINITION OF OPEN MARKET VALUE

The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.
3.5. EFFECTIVE DATE OF VALUATION

29 August 2017

3.6. INFORMATION SOURCES

Deeds Office Cape Town
Chief Surveyor General
Local Authority – Knysna Local Municipality
Lightstone Property Transfers
Various property professionals and property brokers

4. TITLE DEED INFORMATION

**Erf 534 Rheenendal:**

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5. LOCATION

5.1. LOCATION

Both properties are located in Rheenendal as per below locality image:

5.2. SITE DESCRIPTION

Erf 70 Rheenendal is a rectangular shaped land portion with a fairly level elevation profile. This property offers one large building that appears to be a community hall or church.

Erf 534 Rheenendal is an irregularly shaped land portion with a fairly level elevation profile. This property offers one large building that appears to be a community hall or church.
6. **MARKET COMMENTARY**

6.1. **MACRO**

The greater area of Knysna is still suffering from the recent fire disaster. The municipal area offers three towns, being Knysna, Buffalo Bay and Sedgefield, with several rural properties and two rural villages being Karatara and Rheenendal. In the Rheenendal area there are only 22 registered property sales for the period 01 January 2010 up to date. There are no registered sales for Karatara since 01 January 2010.

6.2. **MICRO**

Rheenendal covers approximately 0.52km² and has a total population of 3 936 (2011 census). The micro area does not offer a strong economy on its own and residents are employed by neighboring farm properties or in the towns of Sedgefield and Knysna. The limited number of registered property sales indicate the low demand for properties in this area.

6.3. **COMPARABLE SALES**

The most accurate method to determine an appropriate rate is through evidence produced by actual market transactions. This information is not always readily available, as there is the encumbrance of confidentiality of transactions and corporate transfers, which hamper the comparison process.

Research has been undertaken to establish what developers are prepared to pay for comparable properties. The comparison was made on the basis of proximity. Only two vacant land sales that occurred since 2010 were identified:

<table>
<thead>
<tr>
<th>Comparable Sale One</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Deed Description</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Date of Sale</strong></td>
</tr>
<tr>
<td><strong>Purchase Price</strong></td>
</tr>
<tr>
<td><strong>Erf Extent</strong></td>
</tr>
<tr>
<td><strong>Land selling rate</strong></td>
</tr>
</tbody>
</table>
Comparable Sale Two

<table>
<thead>
<tr>
<th>Deed Description</th>
<th>Erf 45-47 Rheenendal (consolidated to erf 678)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>Sand Street, Rheenendal</td>
</tr>
<tr>
<td>Date of Sale</td>
<td>26 October 2010</td>
</tr>
<tr>
<td>Purchase Price</td>
<td>R75 000.00</td>
</tr>
<tr>
<td>Erf Extent</td>
<td>642m²</td>
</tr>
<tr>
<td>Land selling rate</td>
<td>R116.82/m²</td>
</tr>
</tbody>
</table>

Both comparable sales as listed are dated. The second comparable sale occurs seven years ago, and since then only one vacant land sale was noted, being the first comparable sale.

Although the first comparable sale occurred in 2014, this was the last registered transaction for vacant land in the Rheenendal area.

6.4. MAP INDICATING LOCALITY OF COMPARABLE SALES

The below aerial image indicates the subject property (red) in reference to the comparable sales (yellow)
7. LAND VALUE

The following are important factors that need to be considered when determining the fair market value:

- The larger land size of the subject properties in comparison to those of the surrounding properties as well as those of the comparable sales;
- The highest and best use of the property;
- The low demand for properties in the micro area;
- The current property market conditions after the recent fire disaster; and
- The location of the subject property in a rural village.

After taking all the above factors, as well as comparable transactions into consideration, the valuer is of the opinion that a rate of R10/m² is market related to determine the land value for the subject properties.

8. IMPROVEMENT VALUE

Both subject properties are improved as community properties and a separate value for improvements will be calculated:

8.1 REPLACEMENT OF IMPROVEMENTS

<table>
<thead>
<tr>
<th>Type of Improvement</th>
<th>Unique No</th>
<th>Area m²</th>
<th>Condition</th>
<th>Age</th>
<th>Construction Cost/m²</th>
<th>Replacement Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eff 70 Rheenendal (main building)</td>
<td>N/A</td>
<td>163</td>
<td>Unknown</td>
<td>Unknown</td>
<td>R 5,000</td>
<td>R 896,309</td>
</tr>
<tr>
<td>Eff 534 Rheenendal (main building)</td>
<td>N/A</td>
<td>212</td>
<td>Unknown</td>
<td>Unknown</td>
<td>R 5,000</td>
<td>R 1,166,039</td>
</tr>
</tbody>
</table>

8.2 DEPRECIATED REPLACEMENT VALUE OF IMPROVEMENTS

<table>
<thead>
<tr>
<th>TYPE OF IMPROVEMENT</th>
<th>Level of Competition</th>
<th>Physical Depreciation</th>
<th>Functional Depreciation</th>
<th>Economic Depreciation</th>
<th>Purchaser's Resistance</th>
<th>Depreciation Factor</th>
<th>Depreciated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eff 70 Rheenendal (main building)</td>
<td>100%</td>
<td>30%</td>
<td>10%</td>
<td>60%</td>
<td>60%</td>
<td>0.99</td>
<td>R 83,912</td>
</tr>
<tr>
<td>Eff 534 Rheenendal (main building)</td>
<td>100%</td>
<td>30%</td>
<td>10%</td>
<td>60%</td>
<td>60%</td>
<td>0.99</td>
<td>R 109,138</td>
</tr>
</tbody>
</table>

9. VALUATIONS

The value attached to the subject property is considered a realistic and achievable value under current market conditions. It is however, reliant on various factors, which will include:

- Finding a qualified, suitably informed, willing purchaser; and
- Whether the purchaser can obtain adequate finance.
CALCULATION:

Erf 70 Rheenendal

Land = 1 322m² x R10.00/m² = R13 220
Improvements = R83 912
TOTAL = R97 132

Erf 534 Rheenendal

Land = 1 501m² x R10.00/m² = R 15 010
Improvements = R109 138
TOTAL = R124 148

After due consideration of the comparable sales listed, the condition, size and location, as well as the current market conditions,

Erf 70 Rheenendal is valued at R100 000.00
(One Hundred Thousand Rand Only)

and

Erf 534 Rheenendal is valued at R125 000.00
(One Hundred and Twenty Five Thousand Rand Only)

10. CONDITIONS AND RECOMMENDATIONS

The subject properties were not physically inspected and the valuer did the valuation utilising market evidence, office records and aerial images. The valuer reserves the right to adjust this report and the information reflected in it upon full inspection of the properties.

DECLARATION

After taking due consideration of all the relevant factors I, Corné Theron, in my capacity as a Professional Valuer consider the above valuation to be a true reflection and a fair assessment of the market value as at the date of valuation.

E. C. Theron
PROFESSIONAL VALUER
(REGISTRATION NUMBER: 6831)

DATE: 29 August 2017
Hi Corne,

Kan jy asb vir my ‘n markverwante verslag stuur vir Erf 70, Rheenenadal.

Ek moet ‘n verslag na die Munisipale Raad neem vir die oorweging om Erf 70 te verkoop.

Dankie

Renwill Hardnick : Property Management
P O Box 21, Knysna, 6570, Western Cape, South Africa
Tel +27 (0)44 302 6300 (switchboard) or 302 6459 (direct)
Fax +27 (0)62 819 5042 e-mail rhardnick@knysna.gov.za
## Property Valuation Experts

- 12 -
### Property Details:

- **Deeds registry**: CAPE TOWN
- **Property type**: ERF
- **Township**: RHEENENDAL
- **Erf number**: 70
- **Partition**: 0 (REMAINING EXTENT)
- **Province**: WESTERN CAPE
- **Registration division/Administrative district**: KNYSNA RD
- **Local authority**: OUTENIQUA DC
- **Previous description**: PTN OF KN RD 185/22-TP7932
- **Diagram deed number**: T54913/1987
- **Extent**: 1332.0000 SQM
- **LPF Code**: C019001300000007000000

### Title Deeds Detail:

<table>
<thead>
<tr>
<th>Document</th>
<th>Registration date</th>
<th>Purchase date</th>
<th>Amount</th>
<th>Image Scanned reference</th>
<th>Document copy?</th>
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<tbody>
<tr>
<td>T54913/1987</td>
<td>19871113</td>
<td>-</td>
<td>SECT 16</td>
<td>20131021 12:34:17</td>
<td>Yes</td>
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### Owners Detail:

<table>
<thead>
<tr>
<th>Document</th>
<th>Full name</th>
<th>Identity Number</th>
<th>Share</th>
<th>Person Enquiry?</th>
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<tr>
<td>T54913/1987</td>
<td>MUN KNYSNA</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
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<td>T8255/2001</td>
<td>MUN KNYSNA</td>
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### Endorsements / Encumbrances:

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<th>Document copy?</th>
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<tr>
<td>VA601/2009</td>
<td>MUN KNYSNA</td>
<td>-</td>
<td>20090323 09:26:47</td>
<td>Yes</td>
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### History:

<table>
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<tr>
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<th>Holder</th>
<th>Amount</th>
<th>Image Scanned reference</th>
<th>Document copy?</th>
</tr>
</thead>
<tbody>
<tr>
<td>T45927/1984</td>
<td>DIV-AFD OUTENIQUA</td>
<td>-</td>
<td>20140211 14:13:34</td>
<td>Yes</td>
</tr>
<tr>
<td>T54913/1987</td>
<td>DIV-AFD OUTENIQUA CRT</td>
<td>CRT</td>
<td>20131021 12:34:17</td>
<td>Yes</td>
</tr>
<tr>
<td>T54913/1987</td>
<td>REG SERV-SUID-KAAP T4047/1994 END 3(4)</td>
<td>END 3(4)</td>
<td>20131021 12:34:17</td>
<td>Yes</td>
</tr>
<tr>
<td>T54913/1987</td>
<td>DISTRIKSRAD-SUID-KAAP</td>
<td>SECT 16</td>
<td>20131021 12:34:17</td>
<td>Yes</td>
</tr>
</tbody>
</table>
CAVEATS

1. FULL DISCLOSURE

This valuation has been prepared on the basis that full disclosure of all information and factors that could affect the valuation ('all relevant factors') have been made to us. We accept no liability or responsibility whatsoever for the valuation if it should transpire that a full disclosure of all relevant factors was not made.

2. THIRD PARTY INVOLVEMENT

Where reliance was placed on information supplied by third parties in undertaking the evaluation, we have assumed such information to be substantially correct. We accept no liability or responsibility whatsoever for the valuation if it should transpire that the information supplied was substantially incorrect.

3. VALUATION STANDARD

This valuation has been prepared in accordance with the International Valuation Standards Committee requirements as adopted by the South African Council for the Property Valuers Profession and the South African Institute of Valuers.

4. FREEHOLD PROPERTY

In the case of freehold properties we have inspected the relevant Title Deed documents when available. Whenever perusal of the Title Deed caused concern, we made specific reference to this in the Valuation Report. Where the Title Deeds were not available we have assumed that good title can be shown and that the property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings.

5. MORTGAGE BONDS, LOANS OR OTHER CHARGES

The property has been valued as if wholly owned with no allowance made for any outstanding monies due in respect of mortgage bonds, loans or other charges. No deductions have been made in our valuation for the cost of acquisition, such as legal or transfer fees, or the costs involved in the disposal of the assets.

6. CALCULATION OF AREAS

Where the client (or his/her representative) has provided all surface areas quoted within the Valuation Report, we assume such surface areas have been calculated in accordance with the SAPOA standard method of measurement. Where a valuer on site measures the surface areas, the SAPOA standard method of measurement shall be employed.

7. PLANS

All plans included in the Valuation Report are supplied for the purpose of identification and orientation only and are not necessarily to scale.
8. PROPERTY BOUNDARIES

The farm or property boundaries, as indicated to the Valuer by the instructing client or his appointed agent, or the boundaries as indicated by plans supplied by the client, are assumed to be the legal extent of the property. Any variation of these boundaries by extension or omission, and the resultant inclusion or omission of any improvements because of this or these variations, cannot therefore be regarded as the responsibility of the Valuer. We accept no liability or responsibility whatsoever for the valuation should it transpire that any boundaries were incorrectly pointed out.

9. OUTGOINGS

It is assumed, except where otherwise stated, that the property is subject to the normal property owner’s outgoings and that there are no onerous restrictions or unusual covenants of which we have no knowledge. In preparing our valuation, we have formed our opinion of outgoings, having had reference to the various schedules of outgoings supplied by the client or a representative thereof.

10. STRUCTURAL CONDITION

The property has been valued in its existing state. In the event of its ownership or use changing in such a manner that the local authority will require the upgrading of the premises to comply with fire protection and other regulations, it may be necessary to reduce the valuation by the amount covering the cost of such compliance. We have had regard to the apparent state and condition of the property but have not carried out a structural survey, nor inspected those areas, which were covered, unexposed or inaccessible, neither have we arranged for the testing of electrical, heating or other services. The valuation assumes that the services and structures are in a satisfactory state of repair and condition, unless otherwise stated in our report. The valuation further assumes that the improvements have been erected in accordance with the relevant Building and Town Planning Regulations as well as the Local Authority by-laws. We have not inspected woodwork or other parts of the structure, and we are therefore unable to report that such parts of the property are free from rot, beetle or other defects. We have assumed that no deleterious or hazardous materials or techniques were used in the construction of the property nor have since been incorporated.

11. CONTAMINATION

Our valuation assumes that a formal environmental assessment is not provided and further that the property is not environmentally impaired nor contaminated, unless otherwise stated in our report.

12. VACANT LAND

No soil or substratum tests on the property have been undertaken and it is assumed that the property is suitable for the intended purpose, without having to provide excessive reinforcement to any structure built thereon.
13. STATUTORY NOTICE AND UNLAWFUL USE

We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

14. INDIVIDUAL PROPERTIES

The values reported are for the individual properties. No allowance is made for any premium, which may be applicable for an assembled portfolio of properties, nor is a discount allowed for any flooding of the market, which might exist if all, or a majority of the properties were offered for sale simultaneously.

15. CONFIDENTIALITY

This valuation is produced exclusively for the client and for the specific purposes to which it refers. It may be disclosed to other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

16. NON-PUBLICATION

Neither the whole nor any part of this valuation report or certificate, nor any reference thereto, may be included in any published document, circular or statement, nor published in any way without the written approval of the Valuer, as to the form or context in which it may appear and acknowledgement that the Valuer are professional valuers.

17. INDEPENDENT VALUERS CLAUSE

Neither the Valuer, nor any employee, have any present or contemplated interest in this or any other properties or any other interests, which could affect the statements or values, contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis by a valuer employed the Valuer, a company which specializes in valuation and which does not trade in these assets.

18. VALUE ADDED TAX

All figures quoted are exclusive of Value Added Tax.
To: Municipal Manager

Dear Madam

Knysna Municipality
5 Clyde Street
Knysna
6570

Subject: Application to gain ownership of Plot 70, Le Roux Street Rheenendal

We as Good News Ministries, the Church currently residing on Plot 70 Le Roux Street in Rheenendal, would like to put in an application to receive the primary option of acquiring or gaining ownership of the land in which we are currently located.

Our church was established in May 2000 and we have been able to build an extremely strong community consisting of between 150 and 200 members. As an organisation we have been fully active and involved in community development and aiding the previously disadvantaged through empowering our youth and feeding our less fortunate.

We hope that we are able to continue and grow our Church. We are currently in the process of registering the church as a Nonprofit Organisation (NPO) which will allow for us to further help our community. We will then be allowed to increase programs aimed at helping relieve poverty in the wider Rheenendal Community.

As a church our vision is to help people develop their God-given potential and our mission is for us and others to share what they have learnt in their communities. In

Apostel G Windwaal
060 553 8567

Evangelist C E Titus
081 559 5871
order for us to reach our maximum potential, we need to have a strong sense of location that our community can access. This can be achieved through us gaining ownership of the land that is already of tremendous use to our mission.

Please help us achieve our maximum potential in aiding the community that we care so strongly about through enabling us to purchase the land in which we are currently residing. Any and all consideration put forward towards this matter will be greatly appreciated.

Respectfully yours

Senior Apostle G.A Windwaai
National Overseer
060 553 8567
Electrifying end to Oakhill’s season

Blake Linder

In the last match of their season, Oakhill College’s 1st cricket team had their run chase cut short after rain decided to intervene and save the final day in the day’s proceedings. The team would travel all the way to Breede West to wrap up their season, coming up against that Side from Hotchcock Seaview. The home side went in strong, and put together a formidable total of 346 in the allotted 50 overs, with Oakhill’s Simon Steen picking up 3 wickets for 3 runs in 6 overs.

Oakhill got their chase off to a slow start however, losing 2 quick wickets but the Steen brothers, Ryan and Luke McCarthy had other ideas. Ryan Steen and Luke McCarthy stand and walk behind the stumps.

This meant the match had to be abandoned for the safety of the players, meaning there was no result and the match ended in a draw.

Luke McCarthy plays a shot on the side for Oakhill in a previous match.

Tributes Tommoco trouble to deliver a ball for Oakhill in previous match.

Ryan Steen and Luke McCarthy stand and walk behind the stumps.

Simon Steen picking up 3 wickets for 3 runs in 6 overs.

Oakhill got their chase off to a slow start however, losing 2 quick wickets but the Steen brothers, Ryan and Luke McCarthy had other ideas.

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WinDeed Database Deeds Office Property

RHEENENDAL, 70, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION
- Date Requested: 2020/04/15 00:26
- Deeds Office: CAPE TOWN
- Information Source: WINDEED DATABASE
- Reference: -

PROPERTY INFORMATION
- Property Type: ERF
- Erf Number: 70
- Portion Number: 0 (REMAINING EXTENT)
- Township: RHEENENDAL
- Local Authority: OUTENIQUA DC
- Registration Division: KNYSNA RD
- Province: WESTERN CAPE
- Diagram Deed: TS4913/1987
- Extent: 1332.00000SQM
- Previous Description: PTN OF KN RD 185/22-TP7932
- LPI Code: CO3901/13000000007000000

OWNER INFORMATION

Owner 1 of 2
- Type: LOCAL AUTHORITY
- Name: MUN KNYSNA
- ID / Reg. Number: -
- Title Deed: TS4913/1987
- Registration Date: 1987/11/13
- Purchase Price (R): UNKNOWN
- Purchase Date: 1987/11/13
- Share: 0.00
- Microfilm: 2004 0131 1982
- Multiple Properties: NO
- Multiple Owners: NO

Owner 2 of 2
- Type: LOCAL AUTHORITY
- Name: MUN KNYSNA
- ID / Reg. Number: -
- Title Deed: TS255/2001
- Registration Date: 2001/02/07
- Purchase Price (R): TRANSFER BY ENDORSEMENT
- Purchase Date: -
- Share: 0.00
- Microfilm: 2001 0135 2235
- Multiple Properties: NO
- Multiple Owners: NO

ENDORSEMENTS (1)

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<th>Institution</th>
<th>Amount (R)</th>
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Town Planning Dept.
Knysna Municipality
6598

SUBJECT: - PLOT 70 RHEENENDAL

Dear Sir/Madam

I am writing to you on behalf of the founding members and congregation of the above church whom respectfully request that the Knysna Municipality would be gracious enough to allow the members of the church be given an option to purchase Plot 70 Rheenendal in order that we can utilize the site to continue the operation of the Church on land owned by the Church.

For your information, I submit the following for your perusal.

Our Church is named The Good News Ministries and was formed in 1999 in Rheenendal when eight people decided to worship together, at that time the services were held in a garage. From there we built a small wooden building in one of our member's garden. The numbers of the congregation rose extremely quickly (we now have over 200 people in our congregation) and in order to accommodate the extra worshippers we were luckily granted public land by the Municipality on which the Church is now based.

The Church was extremely fortunate to receive a donation of a large tent by a well-respected South African organization this has since been replaced by a larger tent from the same source. We have now been doing the best we can to serve the local community for the last 18 years. The congregation is on the increase on a weekly basis as we have implemented various projects such as evening Bible reading classes and a food donation schemes that provides soup.
and bread for the people within Rheenendal that desperately need help, as well as our normal Church services.

We are extremely eager to extend such services within the community and in order to secure future ongoing projects we envisage that we can develop within the community we would be grateful if you could help us in our quest to find land that we could purchase within the Rheenendal area that would give our Church extra stability and presence by eventually building a more substantial building.

Plot 70 on which plot our Church is based would be ideal for this purpose and we believe it is coming up for sale in the near future and is large enough to allow us to expand our Church when funding becomes available.

If you need any further information, please contact us.

Yours faithfully,

Senior Pastor: G.A Windwaai
National Overseer
Cell no: 076 677 6554

Pastor C. Breda
National Secretary
Cell no: 081 828 3302
6.6

G06/07/2020 APPLICATION TO PURCHASE ERF 534, RHEENENDAL

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To request the Municipal Council to consider the alienation of Erf 534, Rheenendal, Knysna, in terms of the Asset Transfer Regulations, 2008.

BACKGROUND/DETAILS OF APPLICATION

Jubilee Year Ministries applied to legally own Erf 534, Rheenendal which they are illegally occupying since 20 July 2009 (See Annexure A & B).

Erf 534 was sold to Christian Faith Mission. The sale agreement was cancelled on 5 August 2008 because Christian Faith Mission did not adhere to one of the conditions and the Municipality cancelled the sale agreement. The Municipality informed both the Municipal Attorneys at the time, Mosdell, Pama & Cox Attorneys and Christian Faith Mission (See Annexure C).

Leaders of A New Beginning in Christ Church made enquiry to Mosdell, Pama & Cox Attorneys, the attorneys of the Municipality at that time regarding the selling of Erf 534 to them as they are a church which was constituted following a split in the Christian Faith Mission Church. These leaders requested that Erf 534 now be sold to their organisation as per the contents of the letter dated 22 August 2008 received from Mosdell, Pama & Cox (See Annexure D). Knysna Municipality responded to Mosdell, Pama & Cox confirming that the agreement with Christian Faith Mission was cancelled and the amount due to them paid out to Pastor Grootboom. The Municipality further stated that the Municipality entered into an agreement with the Christian Faith Mission and has no other obligation towards the breakaway group and also mentioned that the land in question will be advertised per tender, which will allow the leadership of A New Beginning in Christ Church to submit an offer for the land (See Annexure E).

Jubilee Year Ministries applied to temporarily use Erf 534 as of 1 November 2008 until 31 January 2009. This application was approved by the Municipality of Knysna (See Annexure F). Jubilee Year Ministries than started to erect permanent structures on the Erf, which was not part of the permission granted. The permission was then cancelled (See Annexure G). Jubilee Year Ministries did not adhere to this instruction and continued to stay on the Erf without permission and a follow up letter was sent to them (See Annexure H). A final letter to evacuate the premise by not later than 20 July 2009 was sent to Jubilee Year Ministries on 6 July 2009 (See Annexure I). The then Manager: Records, Contracts & Property, Mr. Mario Bonthuys on 19 August 2009 wrote an internal memorandum to the then Municipal Manager, Mr. Johnny Douglas informing him of the status and background regarding the illegal occupying of Erf 534, Rheenendal by Jubilee Year Ministries. Mr. Bonthuys on 19 August 2009 requested Mr. Douglas to instruct him to instruct the Councils Attorneys, Mosdell, Pama & Cox to apply for an eviction order against Jubilee Year Ministries (See Annexure J). An instruction to Mosdell, Pama & Cox was given to start with the process of obtaining an eviction order against Jubilee Year Ministries from Erf 534, Rheenendal. This process was stopped by an
instruction received by Mosdell, Pama & Cox on 26 August 2009 as confirmed in their letter dated 28 August 2009 (See Annexure K).

On request, Mosdell, Pama & Cox stated in their letter dated 08 August 2012 that the instruction to stop the proceedings sprouted from a meeting between the then Manager: Legal Services, Mr. Godfrey Reed, the then Manager: Records, Contracts & Property Management, Mr. Mario Bonthuys and the Municipal Manager (See Annexure L).

A New Beginning in Christ requested the Municipality on 30 July 2010 to investigate the matter with regards to Erf 534, Rheenendal and demanded that immediate action be taken against Jubilee Year Ministries for their illegal occupation on the said property (See Annexure M).

Jubilee Year Ministries on 17 September 2010 applied to purchase Erf 534, Rheenendal from Knysna Municipality at a market related price (See Annexure N).

Another notice to vacate Erf 534, Rheenendal was sent to Jubilee Year Ministries International on 28 August 2012 (See Annexure O).

Jubilee Year Ministries International refused to vacate Erf 534, Rheenendal as they claim that they are the legal owners of the property but still requested the Municipality on various occasions to sell the land to them. The administration did not again attempt to obtain an eviction order as this process was stopped the last time. Jubilee Year Ministries is thus enjoying illegally free use and access to Erf 534, Rheenendal. Erf 534, Rheenendal is registered in the name of Knysna Municipality with Title Deed T54913/1987 (See Annexure P).

**CURRENT ZONING**

Erf 534, Rheenendal is zoned Institutional Zone II.

**CURRENT USAGE OF PROPERTY (Viable or Non Viable Municipal Land)**

Jubilee Year Ministries International is illegally using the property in question since 30 April 2009 as a Church.

**CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL**

Erf 534, Rheenendal is valued at R 90 000 on the valuation roll.

**INTENDED FUTURE USAGE OF PROPERTY**

The Municipality have no intended use for Erf 534, Rheenendal as the property is being used as a Church.

**LEGAL FRAMEWORK**

Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) deals with disposal of capital assets of municipalities and reads as follows:

"14. Disposal of capital assets:

(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services."
A municipality may transfer or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –

(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection 2(a) and (b) in respect of movable capital assets below a value determined by the council.

Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111…”

Erf 534, Rheenendal is not needed to provide the minimum level of basic services. Erf 534, Rheenendal was sold to Christian Faith Mission and is currently illegally being used by Jubilee Year Ministries International as of 1 November 2008 it is not foreseen that Erf 534, Rheenendal is needed to provide the minimum level of basic municipal services.

The intended alienation of Erf 534 was advertised in the local newspapers to ensure that the process is fair, equitable, and transparent. The application to purchase Erf 534 is being brought before the Municipal Council to determine the process to dispose of the property in question and to make sure the process is consistent with the Supply Chain Management Policy of the Municipality.

The Knysna Municipality Supply Chain Management Policy 2018/19 approved by the Municipal Council on 6 June 2018 states the following with regards to “Disposal Management”;

“40. Disposal management

(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;

(2) Assets may be disposed of by –

(i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;

(ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;

(iii) selling the asset; or

(iv) destroying the asset.

(3) The Accounting Officer must ensure that –

(a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;

(b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;

(c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;

(e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;

(f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and

(g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment."

The Municipality’s overall objective of its SCM Policy is to ensure the efficient, effective and uniform sale and letting of assets that conforms to constitutional and legislative principles and to ensure the efficient, effective and uniform management and disposal of goods and assets. The SCM Policy states land disposal will be as per the Asset Transfer Regulations and the applicable policy.

Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:

“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –

[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

[b] the municipal council –

(i) has made the determinations required by section 14(2)(a) and (b); and

(ii) has a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset. If the combined value of any capital assets a municipality intends to transfer or dispose of in any financial year exceeds five per cent of the total value its assets, as determined from its latest available audited annual financial statements, subregulation (1)(a) must be complied with in relation to all the capital assets proposed to be transferred or disposed of during that year.”

The Municipal Asset Transfer Regulations define “high value” as, “in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds any of the following amounts:

(a) R50 million;

(b) One per cent of the total value of the capital assets of the municipality or municipal entity, as determined from the latest available audited annual financial statements of the municipality or entity; or

An amount determined by resolution of the council of the municipality or of the parent municipality of the municipal entity which is less than (a) or (b).”

This property thus is not deemed as a high value property as it is valued at R 90 000 on the current valuation roll and Sub-regulation (1) (a) thus does not have to be complied with. No public participation in terms of Sub-regulation (1) (a) thus need to be followed.

As per regulations 7 of the Asset Transfer Regulations the following should be taken into account:
(a) It is not foreseen that the Municipality would require Erf 534, Rheenendal for the Municipality’s own use at a later date;

(b) There would be no expected losses only gains as the property should be disposed of at a price not lower than market related;

(c) The compensation of not lower than market related value to be received by the Municipality will result in a significant financial benefit to the municipality as currently the Municipality is even not receiving rental for the using of Municipal owned property;

(d) There would be no risks for the Municipality after the Erf 534 is alienated as the new owner will carry all the risks;

(e) The alienation of Erf 534, Rheenendal would have no significant effect on the credit rating of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;

(f) No consequences for the Municipality in alienating Erf 534, Rheenendal because of limitations or conditions attached to the capital asset;

(g) It is estimated that Erf 534, Rheenendal be alienated at a cost of ±R 100 000;

(h) There is no liabilities or reserve funds associated with Erf 534, Rheenendal;

(i) Not necessary to conduct public participation process as Erf 534, Rheenendal is not a High Value property. However, the intended alienation of Erf 534, Rheenendal was advertised;

(j) Not necessary to conduct public participation process as Erf 534, Rheenendal is not a High Value property. No views and recommendations on the proposed transfer requested from National Treasury and the relevant provincial treasury;

(k) Not necessary to conduct public participation process as Erf 534, Rheenendal is not a High Value property. No interests of any affected organ of state and interests of the local community requested; and

(l) The request for transfer of Erf 534, Rheenendal is being tabled before the Municipal Council to comply with all relevant legislation and policies applicable to the transferring of Municipal owned capital.

The purpose of the Knysna Municipality Management of Immovable Property Policy is to provide a framework for the management and disposal of the municipality’s land and other immovable capital assets that are not needed to provide the minimum level of basic municipal services and that are surplus to the municipality’s requirements. The Municipality’s land and other immovable capital assets shall be disposed of in the manner as provided for in the Management of Immovable Property Policy.

The general Principles pertaining to the disposal of immovable property and rights in immovable property requires that the disposal of viable immovable property shall be affected by means of a process of public competition and at market value except when the public interest or the plight of the poor demands otherwise.

Erf 534, Rheenendal can be declared as surplus and be earmarked for disposal. The Management of Immovable Property Policy describes the most appropriate use for a surplus
property is one which achieves an optimum balance between the following three key elements of sustainable development:

(i). the protection of ecological processes and natural systems;
(ii). the optimum financial return to and economic development of the municipal area; and
(iii). the enhancement of the cultural, economic, physical and social wellbeing of people and communities.

According to the Management of Immovable Property Policy Council may use any of the following methods of disposal, depending on the circumstances pertaining the specific property:

(i). Formal Tender;
(ii). Public Auction;
(iii). Closed Tender; and
(iv). Unsolicited proposals.

The proposed method of disposal is by formal tender as according to the Management of Immovable Property Policy as disposal by qualified tender is the most appropriate as the land ownership position is complex due to the history of Erf 534, Rheenendal and the fact that Church property is needed in the Rheenendal area. It is thus proposed that Erf 534, Rheenendal should be put out in formal tender for the development of religious or social care use. The unsolicited bid for the disposal of Erf 534, Rheenendal to Jubilee Year Ministries cannot be entertained as the provision of land for social care uses is not part of the Council’s IDP Objectives for Rheenendal.

The following factors shall be considered relevant in the selection and allocation of immovable property to places of worship (these factors should be included in the tender documents for the disposal of Erf 534, Rheenendal): -

(a) The size of the congregation / membership.
(b) Availability of finance to acquire the site and develop same within two years plus possible extension.
(c) Whether or not such a denomination is already represented in the area.
(d) Whether or not welfare type facilities / activities will be provided in addition to religious facilities.
(e) Whether or not the congregation / membership is drawn from the area in which a site is being applied for.

COMMENTS FROM SENIOR MANAGEMENT

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
For consideration by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments
COMMENTS FROM PLANNING AND DEVELOPMENT
None

COMMENTS FROM LEGAL SERVICES
The recommendations are supported the legal implications will stem from the conditions imposed by the Council resolution and the agreement entered into.

COMMENTS FROM IHS
Not supported, need to determine whether the land can be used for affordable housing.

PUBLIC PARTICIPATION PROCESS AND OUTCOME
The intended alienation of Erf 534, Rheenendal was advertised in the local newspapers and also put on the notice board at the Rheenendal office (see Annexure Q). Only one letter was received from Jubilee Year Ministries, with support from some Rheenendal community members, objecting to the selling of Erf 534 and stating that Erf 534 should be either sold or given to them (see Annexure R).

FINANCIAL IMPLICATIONS
This Municipal property must be alienated at a market related price to be determined by a professional Valuer, as prescribed by the different legislation as stated. There is no cost for the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

The Municipal Valuer, DDP Valuers determined the market related price for Erf 534, Rheenendal in 2017 as being R125 000 (see Annexure S).

RELEVANT LEGISLATION / RELEVANTE WETGEWING
Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations
Management of Immovable Property Policy
Knysna Municipality Supply Chain Management Policy

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER
[a] That the report on the application received from Jubilee Church for the purchase of Erf 534, Rheenendal be noted;

[b] That it be noted that the intended alienation of Erf 534, Rheenendal was advertised for public comment and/or objections and no objections were received;

[c] That the advertising of the intended alienation of Erf 534, Rheenendal, without the Council resolution be ratified;

[d] That it be noted that, in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the portion of Erf 534, Rheenendal to be alienated, is not needed to provide the minimum level of basic Municipal Services;
[e] That it be noted that, in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the fair market value of Erf 534, Rheenendal, as determined by the Municipal Valuer, DDD Valuers is R125 000.00 and the economic and community value to be received in exchange for the Property;

[f] That the disposal of Erf 534 Rheenendal be approved, in terms of Section 5(b)(ii) of the Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations;

[g] That the Municipal Manager put the alienation of Erf 534, Rheenendal out on public tender for the utilisation as Social Care facility; and

[h] That the following factors should be included in the tender document for the disposal of Erf 534, Rheenendal:

i] The size of the congregation / membership;
ii] Availability of finance to acquire the site and develop same within two years plus possible extension;
iii] Whether or not such a denomination is already represented in the area;
iv] That the reserve price be determined as R125 000 as determined by the Municipal Valuer;
v] Whether or not welfare type facilities / activities will be provided in addition to religious facilities; and
vi] Whether or not the congregation / membership is drawn from the area in which a site is being applied for.

ANNEXURES

ANNEXURE A – Application letter from Jubilee Year Ministries dated 13 April 2017

ANNEXURE B – Application letter from Jubilee Year Ministries dated 6 March 2019

ANNEXURE C – Cancellation of sale agreement with Christian Faith Mission

ANNEXURE D – MPC letter regarding A New Beginning in Christ Church – 22/08/2008

ANNEXURE E – Municipal response to MPC letter dated 22/08/2008

ANNEXURE F – Jubilee Year Ministries request and Municipal approval to temporarily use Erf 534, Rheenendal

ANNEXURE G – Cancellation of temporarily permission granted to Jubilee Year Ministries

ANNEXURE H – Follow up letter of notice of cancellation

ANNEXURE I – Final letter of notice to evacuate

ANNEXURE J – Memo from Mario Bonthuys requesting eviction order process

ANNEXURE K – Confirmation to stop eviction process
ANNEXURE L – MPC letter reasons for cancelling eviction process
ANNEXURE M – A New Beginning in Christ letter dated 19 July 2010
ANNEXURE N – Jubilee year Ministries application to purchase Erf 534
ANNEXURE O – Municipal notice to Jubilee Year Ministries to vacate
ANNEXURE P – Deed search for erf 534, Rheenendal
ANNEXURE Q – Advertisement dated 12 March 2020
ANNEXURE R – Objection against sale of Erf 534, Rheenendal from Jubilee Year Ministries
ANNEXURE S – Municipal Valuation report by DDP dated 29 Aug 2017

File Number : 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services
Valuation Report

PROPERTY: Erf 70 Rheenendal
          Erf 534 Rheenendal

REFERENCE No: DDPMUN1302
REPORT No: 01
DATE: 29 August 2017
Report prepared by: Corné Theron
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1. **CONTACT DETAILS**

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<thead>
<tr>
<th>Name</th>
<th>Renwill Hardnick</th>
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<tr>
<td>Address</td>
<td>P O Box 21, Knysna 6570</td>
</tr>
<tr>
<td>Phone</td>
<td>044-302 6459</td>
</tr>
<tr>
<td>Fax</td>
<td>086-629 5042</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:rhardnick@knysna.gov.za">rhardnick@knysna.gov.za</a></td>
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2. **SUMMARY OF KEY FACTS**

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<tr>
<td>Instructing Party</td>
<td>Knysna Local Municipality as represented by</td>
<td>Renwill Hardnick</td>
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3. INTRODUCTION

3.1. INSTRUCTION

DDP Valuers was instructed by Knysna Local Municipality as represented by Mr Renwill Hardnick to determine the current market value of the properties as described in this report.

3.2. PURPOSE OF VALUATION

The purpose of this valuation report is to determine the fair market value of the subject properties as at the date of valuation.

3.3. METHOD OF VALUATION

Comparable sales method of valuation:

The Sales Comparison Approach to value compares the subject property to similar properties that have sold under similar market conditions. The value indicated is established by comparing the subject property with similar properties, called comparable sales. Comparable sales are recent property transactions of properties that were sold in accordance with the definition of market value.

The International Valuation Standards 2007 defines the sales comparison method as: “The comparative approach considers the sales of similar or substitute properties and related market data, and establishes value estimated by processes involving comparison.

Accrued Depreciation method of valuation:

The method used for determining the open market value of the improvements is the accrued depreciation method of valuation. Accrued depreciation is a loss in value from the replacement cost of improvements due to physical deterioration, functional obsolescence and economical obsolescence. After identifying and measuring the separate elements of the accrued depreciation, the value of the applicable type of depreciation are deducted from the replacement cost of the improvements.

The resulting difference is the estimated present value of the improvements. Theoretically, depreciation can begin to accrue from the moment construction is completed even in a building that is functionally the highest and best use of a site.

3.4. DEFINITION OF OPEN MARKET VALUE

The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.
3.5. EFFECTIVE DATE OF VALUATION

29 August 2017

3.6. INFORMATION SOURCES

Deeds Office Cape Town
Chief Surveyor General
Local Authority – Knysna Local Municipality
Lightstone Property Transfers
Various property professionals and property brokers

4. TITLE DEED INFORMATION

**Erf 534 Rhenendal:**

Title Deed Description: Erf 534 Rhenendal
Registered Owner: Knysna Local Municipality
Title Deed Number: T681/2002
Area of Site/Section: 1501m²
Freehold/Leasehold/Sectional Title: Freehold
Detail of any Title Deed Restrictions: None of an onerous nature noted.

**Erf 70 Rhenendal:**

Title Deed Description: Erf 70 Rhenendal
Registered Owner: Knysna Local Municipality
Title Deed Number: T54913/1987
Area of Site/Section: 1322m²
Freehold/Leasehold/Sectional Title: Freehold
Detail of any Title Deed Restrictions: None of an onerous nature noted.
5. LOCATION

5.1 LOCATION

Both properties are located in Rheenendal as per below locality image:

![Location Image]

5.2 SITE DESCRIPTION

Erf 70 Rheenendal is a rectangular shaped land portion with a fairly level elevation profile. This property offers one large building that appears to be a community hall or church.

Erf 534 Rheenendal is an irregularly shaped land portion with a fairly level elevation profile. This property offers one large building that appears to be a community hall or church.

![Erf 70 and Erf 534 Images]

Erf 70 Rheenendal  Erf 534 Rheenendal
6. **MARKET COMMENTARY**

6.1. **MACRO**

The greater area of Knysna is still suffering from the recent fire disaster. The municipal area offers three towns, being Knysna, Buffalo Bay and Sedgefield, with several rural properties and two rural villages being Karatara and Rheenendal. In the Rheenendal area there are only 22 registered property sales for the period 01 January 2010 up to date. There are no registered sales for Karatara since 01 January 2010.

6.2. **MICRO**

Rheenendal covers approximately 0.52km² and has a total population of 3 936 (2011 census). The micro area does not offer a strong economy on its own and residents are employed by neighboring farm properties or in the towns of Sedgefield and Knysna. The limited number of registered property sales indicate the low demand for properties in this area.

6.3. **COMPARABLE SALES**

The most accurate method to determine an appropriate rate is through evidence produced by actual market transactions. This information is not always readily available, as there is the encumbrance of confidentiality of transactions and corporate transfers, which hamper the comparison process.

Research has been undertaken to establish what developers are prepared to pay for comparable properties. The comparison was made on the basis of proximity. Only two vacant land sales that occurred since 2010 were identified:

<table>
<thead>
<tr>
<th>Comparable Sale One</th>
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</thead>
<tbody>
<tr>
<td><strong>Deed Description</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Date of Sale</strong></td>
</tr>
<tr>
<td><strong>Purchase Price</strong></td>
</tr>
<tr>
<td><strong>Erf Extent</strong></td>
</tr>
<tr>
<td><strong>Land selling rate</strong></td>
</tr>
</tbody>
</table>
Both comparable sales as listed are dated. The second comparable sale occurs seven years ago, and since then only one vacant land sale was noted, being the first comparable sale.

Although the first comparable sale occurred in 2014, this was the last registered transaction for vacant land in the Rheenendal area.

6.4. MAP INDICATING LOCALITY OF COMPARABLE SALES

The below aerial image indicates the subject property (red) in reference to the comparable sales (yellow)
7. LAND VALUE

The following are important factors that need to be considered when determining the fair market value:

- The larger land size of the subject properties in comparison to those of the surrounding properties as well as those of the comparable sales;
- The highest and best use of the property;
- The low demand for properties in the micro area;
- The current property market conditions after the recent fire disaster; and
- The location of the subject property in a rural village.

After taking all the above factors, as well as comparable transactions into consideration, the valuer is of the opinion that a rate of R10/m² is market related to determine the land value for the subject properties.

8. IMPROVEMENT VALUE

Both subject properties are improved as community properties and a separate value for improvements will be calculated:

8.1 REPLACEMENT OF IMPROVEMENTS

<table>
<thead>
<tr>
<th>Type of improvement</th>
<th>Unique or</th>
<th>Area m²</th>
<th>Condition</th>
<th>Age</th>
<th>Construction Cost</th>
<th>Replacement Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erf 27 Rhenendal (main building)</td>
<td>N/A</td>
<td>163</td>
<td>Unknown</td>
<td>Unknown</td>
<td>R 6,500</td>
<td>R 896,563</td>
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<tr>
<td>Erf 534 Rhenendal (main building)</td>
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<td>Unknown</td>
<td>Unknown</td>
<td>R 6,500</td>
<td>R 1,156,503</td>
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8.2 DEPRECIATED REPLACEMENT VALUE OF IMPROVEMENTS

<table>
<thead>
<tr>
<th>Type of Improvement</th>
<th>Level of Completion</th>
<th>Physical Depreciation</th>
<th>Functional Depreciation</th>
<th>Economic Depreciation</th>
<th>Purchaser's Risk</th>
<th>Capitalization Factor</th>
<th>Depreciated Value</th>
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<tbody>
<tr>
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<td>100%</td>
<td>35%</td>
<td>10%</td>
<td>60%</td>
<td>63%</td>
<td>0.05</td>
<td>R</td>
</tr>
<tr>
<td>Erf 534 Rhenendal (main building)</td>
<td>100%</td>
<td>35%</td>
<td>10%</td>
<td>60%</td>
<td>63%</td>
<td>0.02</td>
<td>R</td>
</tr>
</tbody>
</table>

9. VALUATIONS

The value attached to the subject property is considered a realistic and achievable value under current market conditions. It is however, reliant on various factors, which will include:

- Finding a qualified, suitably informed, willing purchaser; and
- Whether the purchaser can obtain adequate finance.
CALCULATION:

Erf 70 Rheenendal
Land = 1 322m² x R10.00/m² = R13 220
Improvements = R83 912
TOTAL = R97 132

Erf 534 Rheenendal
Land = 1 501m² x R10.00/m² = R15 010
Improvements = R109 138
TOTAL = R124 148

After due consideration of the comparable sales listed, the condition, size and location, as well as the current market conditions,

Erf 70 Rheenendal is valued at R100 000.00
(One Hundred Thousand Rand Only)

and

Erf 534 Rheenendal is valued at R125 000.00
(One Hundred and Twenty Five Thousand Rand Only)

10. CONDITIONS AND RECOMMENDATIONS

The subject properties were not physically inspected and the valuer did the valuation utilising market evidence, office records and aerial images. The valuer reserves the right to adjust this report and the information reflected in it upon full inspection of the properties.

DECLARATION

After taking due consideration of all the relevant factors I, Corné Theron, in my capacity as a Professional Valuer consider the above valuation to be a true reflection and a fair assessment of the market value as at the date of valuation.

E. C. Theron
PROFESSIONAL VALUER
(REGISTRATION NUMBER: 6831)

DATE: 29 August 2017
### Property Valuation Experts

- 12 -
### Property Valuation Experts

- 13 -
CAVEATS

1. FULL DISCLOSURE

This valuation has been prepared on the basis that full disclosure of all information and factors that could affect the valuation (‘all relevant factors’) have been made to us. We accept no liability or responsibility whatsoever for the valuation if it should transpire that a full disclosure of all relevant factors was not made.

2. THIRD PARTY INVOLVEMENT

Where reliance was placed on information supplied by third parties in undertaking the evaluation, we have assumed such information to be substantially correct. We accept no liability or responsibility whatsoever for the valuation if it should transpire that the information supplied was substantially incorrect.

3. VALUATION STANDARD

This valuation has been prepared in accordance with the International Valuation Standards Committee requirements as adopted by the South African Council for the Property Valuers Profession and the South African Institute of Valuers.

4. FREEHOLD PROPERTY

In the case of freehold properties we have inspected the relevant Title Deed documents when available. Whenever perusal of the Title Deed caused concern, we made specific reference to this in the Valuation Report. Where the Title Deeds were not available we have assumed that good title can be shown and that the property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings.

5. MORTGAGE BONDS, LOANS OR OTHER CHARGES

The property has been valued as if wholly owned with no allowance made for any outstanding monies due in respect of mortgage bonds, loans or other charges. No deductions have been made in our valuation for the cost of acquisition, such as legal or transfer fees, or the costs involved in the disposal of the assets.

6. CALCULATION OF AREAS

Where the client (or his/her representative) has provided all surface areas quoted within the Valuation Report, we assume such surface areas have been calculated in accordance with the SAPOA standard method of measurement. Where a valuer on site measures the surface areas, the SAPOA standard method of measurement shall be employed.

7. PLANS

All plans included in the Valuation Report are supplied for the purpose of identification and orientation only and are not necessarily to scale.
8. PROPERTY BOUNDARIES

The farm or property boundaries, as indicated to the Valuer by the instructing client or his appointed agent, or the boundaries as indicated by plans supplied by the client, are assumed to be the legal extent of the property. Any variation of these boundaries by extension or omission, and the resultant inclusion or omission of any improvements because of this or these variations, cannot therefore be regarded as the responsibility of the Valuer. We accept no liability or responsibility whatsoever for the valuation should it transpire that any boundaries were incorrectly pointed out.

9. OUTGOINGS

It is assumed, except where otherwise stated, that the property is subject to the normal property owner’s outgoings and that there are no onerous restrictions or unusual covenants of which we have no knowledge. In preparing our valuation, we have formed our opinion of outgoings, having had reference to the various schedules of outgoings supplied by the client or a representative thereof.

10. STRUCTURAL CONDITION

The property has been valued in its existing state. In the event of its ownership or use changing in such a manner that the local authority will require the upgrading of the premises to comply with fire protection and other regulations, it may be necessary to reduce the valuation by the amount covering the cost of such compliance. We have had regard to the apparent state and condition of the property but have not carried out a structural survey, nor inspected those areas, which were covered, unexposed or inaccessible, neither have we arranged for the testing of electrical, heating or other services. The valuation assumes that the services and structures are in a satisfactory state of repair and condition, unless otherwise stated in our report. The valuation further assumes that the improvements have been erected in accordance with the relevant Building and Town Planning Regulations as well as the Local Authority by-laws. We have not inspected woodwork or other parts of the structure, and we are therefore unable to report that such parts of the property are free from rot, beetle or other defects. We have assumed that no deleterious or hazardous materials or techniques were used in the construction of the property nor have since been incorporated.

11. CONTAMINATION

Our valuation assumes that a formal environmental assessment is not provided and further that the property is not environmentally impaired nor contaminated, unless otherwise stated in our report.

12. VACANT LAND

No soil or substratum tests on the property have been undertaken and it is assumed that the property is suitable for the intended purpose, without having to provide excessive reinforcement to any structure built thereon.
13. STATUTORY NOTICE AND UNLAWFUL USE

We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

14. INDIVIDUAL PROPERTIES

The values reported are for the individual properties. No allowance is made for any premium, which may be applicable for an assembled portfolio of properties, nor is a discount allowed for any flooding of the market, which might exist if all, or a majority of the properties were offered for sale simultaneously.

15. CONFIDENTIALITY

This valuation is produced exclusively for the client and for the specific purposes to which it refers. It may be disclosed to other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

16. NON-PUBLICATION

Neither the whole nor any part of this valuation report or certificate, nor any reference thereto, may be included in any published document, circular or statement, nor published in any way without the written approval of the Valuer, as to the form or context in which it may appear and acknowledgement that the Valuer are professional valuers.

17. INDEPENDENT VALUERS CLAUSE

Neither the Valuer, nor any employee, have any present or contemplated interest in this or any other properties or any other interests, which could affect the statements or values, contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis by a valuer employed the Valuer, a company which specializes in valuation and which does not trade in these assets.

18. VALUE ADDED TAX

All figures quoted are exclusive of Value Added Tax.
Geagte Mnr/Mev

Die skrywer hiervan verteenwoordig die Jubilee Year Ministries Kerk ‘n NGO in erf 537 Num Num Straat Rheenenadal 6576 die korespondensie aan die Knysna munisipaliteit as volg:

Ons as bogenoemde kerk is bewus van die advertensie wat geplaas was in die Knysna Plett Herald op die 12de Maart 2020, erf 534 in Rheenenadal ook bekend as 534 Num Num Straat. Ons bevestig dat Jubilee Year Ministries die grond beset vir die afgelope 12 jaar.

Die ekerk en bhee gemeenskap teken beswaar aan teen die verkoop van erf 534 en heg hier aan ‘n petisie, vir U aandag geteken ter ondersteuning van ons beswaar. Ons het verder ondersteuning gewerf dat die erf aan die kerk toegestaan word sodat ons kan voort gaan om die volgende dienste aan die gemeenskap te lever:

Ons dien die gemeenskap die volgende dienste op die erf

- Vergadering van verskillende politieke partye
- Grond sake vergadering
- Hurp Learnernesship (121 Persone)
- Troues
- Begraafnisse
- Jeug Konverensies
- Sisters Konverensies
- Gemeenskaps vergadering
- Asook ’n plek van aanbidding vir velle

Ons het ’n ledetal van 195

- Broederband 44
- Vroue organisasie 65
- Jeug organisasie 35
- Sondagskool 51

In lig van die bogenoemde versoek ons die Knysna Munisipaliteit om erf 534 aan ons te ken alternatief verkoop teen ’n markverwante prys. Ons vertou da tons versoek al ’n positiewe uitkoms he.

Byvoorbaat dank

Johannes Mowers

082 952 7364 – anquesd@gmail.com

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| Chelsea Pen. den 398 |

| Chelsea Pen. den 398 |

| Chelsea Pen. den 398 |
# JUBILEE YEAR MINISTRIES

* A new beginning in Christ

## MANS / BROEDERBOND

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154 | Page
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# JUBILEE YEAR MINISTRIES INTERNATIONAL

A new beginning in Christ

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162 | Page
Hiermee stel ons as die gemeenskap van Rheenendal hierdie pitiesie op dat Erf 534 Num Num Straat aan Jubilee Ministries toegewe moet word sodat hulle voort kan gaan om die gemeenskap te dien soos wat hulle dit alreeds vir die afgelope 12 jaar al doen.

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**GOVERNANCE & ECONOMIC DEVELOPMENT COMMITTEE MEETING**

**AGENDA**

**7 JULY 2020**

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**NAAM** | **VAN** | **ADRES** | **CELL NO**
---|---|---|---
1. Adam | Pins | 547 Kershout Str |
2. Sarah | Cef | 1111 |
3. Abraham | Bagbies | 547 Kershout Str | 073-83-9807
4. Nadine | Sapdi | 546 Kershout Str | 1111
5. Filida | Lekang | 546 Kershout Str |
6. Ceci | Lekang | 546 Kershout Str |
7. Susan | Blellah | 547 Kershout Str | 062 766 3483
8. Charlton | Klushe | 572 Kershoot Str | 073 223 1019
9. Bonno | Poo | 572 Kershoot Str | 1111
10. Andrea | Bleue | 572 Kershoot Str | 1111
11. Shamirli | Kamheco | 514 Bloemfontein |
12. Thebaan | Noor | 578 Bloemfontein |
13. Jeralda | Septou | Kershout Str 514 | 074 541 5557
14. Wilaine | Nolwetha | 564 Kershout Str | 1111
15. Galine | Peirese | 527 Pierskall Str | 1111
16. Emily | Nolwetha | 561 Kershout Str |
17. Home | Nolwetha | 568 Kershout | 073 567 6064
18. Elize | Watson | 525 Armbaan | 1111
19. ST Rachel | Watson | 525 Aatenga | 1111
20. Nadine | Windhoek | 4712 foci | 1111
21. Nkogo | Pins | 557 Kershout | 1111
22. Vangelina | Neidhman | 537 Bow march Str | 1111
23. Esther | Dames | 366 Spier | 1111
24. Mari | Pinto | 557 Kershout Str |
25. Gaynor | Kanyere | 576 Bloemfontein | 1111
26. Rebecca | Brainies | 525 Bloemfontein | 1111
27. Marisca | Titus | 525 Bloemfontein | 1111
28. H. Hadebe | Kusters | 525 Bloemfontein | 073 720 061
29. G. | Kusters | 525 Bloemfontein | 1111
30. Venzha | Hartenberg | 6016 Langswege | 1111
31. Kezel | Hartenberg | 633 Wiek St | 1111
32. Ben | Adams | 374 Bloemfontein | 1111
33. Jan | Adams | 374 Bloemfontein | 1111
34. Johnson | Adams | 374 Bloemfontein | 1111
35. Austin | Oscar | 374 Bloemfontein | 1111
36. Merika | Dinlana | 374 Bloemfontein | 1111
37. Claudine | J. Muller | 374 Bloemfontein | 1111

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**HIERMEE STEL ONS AS DIE GEMEENSKAP VAN RHEENENDAL HIERDIE PITESIE OP DAT ERF 534 NUM NUM STRAAAT AAN JUBILEE MINISTRIES TOEGEKEN MOET WORD SODAT HULLE VOORT KAN GAAN OM DIE GEMEENSKAP TE DIEN SOOS WAT HULLE DIT ALREEDS VIR DIE AFGEOLOPE 12 JAAR AL DOEN.**
Hiermee stel ons as die Gemeenskap van RheeNendal hierdie pittiesie op dat Erf 534 num num straat aan Jubilee Ministries toegeken moet word sodat hulle voort kan gaan om die Gemeenskap te dien soos wat hulle dit alreeds vir die afgeëlope 12jaar al doen.

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166 | Page
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Electricity ending to Oakhill's season

Blake Under

In the last match of their season, Oakhill College's 1st cricket team had their run chase cut short after rain delayed proceedings and saw them losing the final ball on the day.

The team would have liked all the way to Berwark West to wrap up their season, coming up against the 1st XI from [insert School]. The home side would bat first and put together a formidable total of 359/6 for the allotted 50 overs, with Oakhill's Simon Sharman picking up 3 wickets for 33 runs in 4 overs.

Oakhill got their chase off to a slow start however, losing 2 quick wickets but the Sharman brothers, Ryan and

Ryan Sharman and Luke McCarthy stand and watch the stumps.

Simon, stranded the ship to take the side to 362/4 in 14 overs until rain and 1st XI's onslaught on the field.

Luke McCarthy plays a shot on the on-side for Oakhill in a previous match.

This meant the match to be abandoned for the safety of the players, meaning there was no result and the match ended in a draw.

Ritchie Mutter
guides the ball towards the point region in a previous game.

Tristan Tower

To be delivered for Oakhill in a previous match.
WinDeed Database Deeds Office Property

RHEENENDAL, 534, 0 (CAPE TOWN)

**GENERAL INFORMATION**

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**HISTORIC DOCUMENTS**

No documents to display

**DISCLAIMER**

This report contains information gathered from the WinDeed database and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. LexisNexis will not be liable for any damage caused by reliance on this report and for legal purposes encourage validation on ownership details with the Deeds Office. This report is subject to the terms and conditions of the WinDeed End User Licence Agreement (EULA).
28 August 2012

Jubilee Year Ministries Int
PO Box 107
RHEENENDAL
6576

Dear Pastor Mowers,

VACATION OF ERF 534, NUM NUM STREET RHEENENDAL.

You are well aware of the fact that you are illegally occupying Council land in Rheenendal by means of a tent that is being used as a Church. We are in the process of finalising our study of open areas in the Municipality that can be utilised to build Churches on. It has also come to our attention that you are in the process of further creating permanent structures on erf 536.

You have already received final notice to vacate the premises and you did not react on the notice. I hereby inform you that if the premises are not vacated by the end of October 2012, I will furnish instructions to remove the illegal structures.

I kindly request you to provide your full support in the matter.

Yours faithfully

[Signature]

LAUREN WARING
MUNICIPAL MANAGER

Please address all correspondence to the Municipal Manager and quote the above reference.
Aan: Die Munisipale Bestuurder  
Knysna Municipality  
Clyde Street  
Knysna  
6570

Vir Aandag: Mnr J. Douglas, Mnr D. Kemoeti, Mnr R. Smith, en al die Amptenare van die Munisipale Raad

Is. Erf 534 op die h/v Suikerbekkie en Num-Num Straat in Rheenendal

MOTIVERING

Jubilee Year Ministries Int. is ‘n Kerk met ‘n langtermyn visie. Dit is om uit te reik na die verduikte en die agtergeblewende in ons gemeenskap. Ons bewoon tans Erf 534 in Rheenendal. Die gemeentelede en die Pastoor se hartklop is dieselfde as dit kom by die Maatskaplike sy van die gemeenskap. Die gemeente bied veilige tuistes aan mishandelde. In die gemeente self is daar lede genader is om Maatskaplike gevalle aan te neem. In die Pastoor se sorg is daar nege (9) sulke gestremde, mishandelde gevalle wat in hy en sy vrou se sorg geplaas is. Hierdie gevalle is in die Jeug en Sondagsskool waar hulle trauma berading ontvang. Die betrekking van die Kerk is sigbaar in die gemeenskap. Die Groen en Wit Tent was vele kere mense se laatste uitweg, wanneer alle ander deur toegeknap word bv. vir begrafnis, troues, jeugfunksies asook Departementele vergaderings en vele ander. Ons is nog in die proses om te registreer as ‘n Seksie 21 Organisasie met ‘n Uitvoerende raad. Die Kerk wil nie net as ‘n WIT OLIFANT beskou word nie.

Ons het verskriklik gegroei in twee jaar (2) se tyd. Ons het ‘n ledelas van 250 lede. Alle kinders word hier deur geestelike opvoeders geestelik ontwikkel in die Jeug en die Sondagsskool. Evangelisasie en uitreikingswerk is ook een van ons top prioriteite.Pastoor J.J. Mowers en die vorige eienaar van Erf 534 het ooreengekom dat die grond wat toe nog in Christian Faith Mission se naam was aan Jubilee Year Ministries verhuur sou word, dit het toe so gebeur. Daarna het ons aangebied om die grond te koop van die vorige eienaar. Die koopproses het begin. Tydens die oordrag vanaf Christian Faith Mission na Jubilee Year Ministries, daar het die probleme toe opgeduik. Ons moes toe ‘n aanbod maak om te huur van die Munisipaliteit, en ons bedrag was te laag. Weer het ons ‘n uitsettings boodskap gekry, maar die Here was ons genadig en ons het weer ‘n kans gekry om aan te bly. In ‘n vergadering met Mnr. R. Smith is daar aan ons verduidelik watter prosedures daar gevolg moet word. Graag wil die bogenoemde Kerk vra of hierdie
brief aan die Munisipale Raad voorgelê kan word tydens 'n vergadering waar hierdie brief dan bespreek kan word. Met alles wat genoem was, kan die bogenoemde Kerk nie die grond van die Munisipaliteit koop teen'n markverwante prys nie?

Die uwe

J.J. Movers
PAS 100R
082 352 7364

L. Laminie
Re: Church Erf 534 c/o Num-Num and Suikerbekkie Street – Rheenendal
Ref: 1/1/2010 Dated: 19 July 2010

As the abovementioned Pastor I would like to express my concern regarding the abovementioned erf. As the abovementioned Priest I was instructed by my church leadership to ask for your immediate investigation regarding that property as we are now in total delay as the owner under the umbrella of Christian Faith Mission. As members of CFM we demand that you take immediate action against the church currently on it named Jubilee Year Ministries under the leadership of JJ Mowers. We have owned that land for ten years as in the previous letter was stated and I want you to acknowledge the fact that as a branch of CFM we never knew that a phrase stated that we have to build within two years on the property. I further want you to take note that the letter was totally handled by our main church in Hornlee and all church issues were negotiated in our absence.

We all know that Jubilee Year Ministries are illegally on the property and we therefore would like you to act very seriously in this regard as we one of many churches rooting out of CFM that was part of that property and would only like to get back on it.

Please refer back to this letter as soon as possible as we are seeking as much as possible legal action to help us in this regards.

Kind Regards,

[Signature]
The Municipal Manager  
KNYSNA MUNICIPALITY  
e-mail: knysna@knysna.gov.za  
e-mail: mpaulen@knysna.gov.za  
e-mail: rhardnick@knysna.gov.za

Dear Madam,

UNAUTHORISED USE ERF 534 RHEENENDAL – JUBILEE YEAR MINISTRIES INT

1. We refer to the telephonic enquiry by your Mr Hardnick this morning when he requested to be furnished with a copy of a court order herein.

2. You will recall that, following on a meeting between the then Manager: Legal Services (Mr Godfrey Reed); the Manager: Records, Contracts & Property (Mr Mario Bonthuys) and the Municipal Manager, we were instructed on 26 August 2009 by the Director: Corporate Services (Mr Reggie Smit) to stop proceedings.

3. We attach a copy of our e-mail acknowledgement of the instruction.

4. There is thus no court order.

5. Kindly advise, in due course, whether you require us to do anything further herein.

Yours faithfully,

MOSDELL PAMA & COX

per C E MOSDELL

The phatshoane henney group is an association of independent firms, not practicing in partnership and

with separate liability

phatshoanehenney

ASSOCIATED FIRMS
The Municipal Manager  
Knysna Municipality  
FAX: 044 302 6333  
FAX: 086 570 5622  
KNYSNA

Dear Sir

JUBILEE YEAR MINISTRIES INT – ERF 534 NUM NUM STREET, RHEENENDAL

We acknowledge receipt of your instruction of 26 August 2009 and confirm that we have accordingly stopped all action herein and are closing our file.

Yours faithfully
MOSDELL PAMA & COX

per C E MOSDELL

With regard to your verbal request dated 18 August 2009 on the status and background to the notice to vacate erf 534, Rhenendal, the following:

a) The purchaser of erf 534, Rhenendal (Christian Faith Mission) failed to comply with the conditions of the contract of sale, namely to construct buildings on the premises within a period of two years.

b) The contract mentioned in a) above was cancelled and the Municipality again took ownership of the property on 5 August 2008.

c) On 24 October 2008 a request was received by the Municipality from the Jubilee Year Ministries to lease the land for a period of three months from 1 November 2008 till 31 January 2009.

d) Permission was granted to utilise the erf from 1 November 2008 to 31 January 2009.

e) On 2 April 2009 a letter was addressed to the Jubilee Year Ministries in which they were informed that they went beyond the period of lease and they must vacate the premises on 30 April 2009.

f) On 2 May 2009 a follow up letter was addressed to the Church informing them that the matter will be handed over for legal action.

g) After representatives from the church consulted with our Manager: Legal Services, a final letter was addressed to the church on 6 July 2009 to vacate the property on or before 20 July 2009 failing which legal action will be instituted to have them evicted.
h) I had a meeting with Council’s Attorneys when the matter was discussed and advice obtained regarding an Eviction Order to be obtained from Court. I now have to instruct the Attorneys to proceed or not.

i) It is my opinion that administrative justice was fairly applied and that the necessary procedures have been followed thoroughly and with responsibility.

j) It is further my opinion that we have to remove the church from the property to avoid the following:

- The setting of a precedent as it was established that we are dealing with a similar situation in Rheenendal with another church, where we have instituted the same procedure.
- Erf 534 has to be put out on tender and this can not happen if the property is occupied.
- If further extension is granted it will be against the law as we need to go out on public tender for such agreements.

k) It is my considered opinion that if the Municipality does not act now, it might become even more difficult to evict them in future.

You are kindly requested to indicate the way forward.

M. Bothaens
Manager: Records, Contracts & Property

cc: Dir. Corporate Services
Dir. Finance
Dir: Technical Services
Dir: Community Services
Dir: Planning and Development
ATTENTION: PASTOR J J MOWERS

JUBILEE YEAR MINISTRIES INT
P.O. BOX 74
RHEENENDAL
6574

6 July 2009

Dear Sir

RE: NOTICE TO VACATE ERF 534, NUM NUM STREET, RHEENENDAL

We refer to the meeting you and your secretary, Mr A R Marbi had with our Mr Reed on 22 June 2009 and your subsequent letter (undated), which was hand delivered to our offices on 3 July 2009.

We have considered the content of your letter and the representations you have made during our meeting, but regretfully have to inform you that the Municipality is not in a position to accept your offer to rent the premises until such time as the land will be put on public tender.

Our Mr Mario Bonthuys cancelled the permission in terms of which you occupied the premises in a letter dated 2 April 2009 and instructed you to vacate the premises by 30 April 2009. You have ignored that instruction. This therefore serves as final notice that you are required to vacate the premises by not later than 20 July 2009.

We will inspect the premises on that date to ensure that you have complied, failing which we shall exercise the legal remedies available to us.

Your co-operation will be appreciated.

G. REED
MANAGER – LEGAL SERVICES
/sa

cc: Mario Bonthuys – Manager – Records, Contracts and Property

Please address all correspondence to the Municipal Manager and quote the above reference

P O Box 21 • Knysna • 6570 • Tel: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za
8 Mei 2009

Jubilee Year Ministries Int
Posbus 107
RHEENENDAL
6576

Geagte Mnr Marbi

KANSELLERING VAN DIE GEBRUIK VAN ERF 534, RHEENENDAL

Ek verwys na my brief gedateer 2 April 2009 waarin u versoek was om die Raadsgrond wat u tans beset en waarop 'n tent opgeslaan is te ontruim teen 30 April 2009.

U het versuim om daarop ag te slaan en dit spyt my dat u Kerk hierdie houding teenoor die Raad inneem. Dit is nie die eerste keer dat u hierdie houding teenoor die Raad openbaar nie en word ek genoodsaak om regstappe teen u te neem. Neem dus hiermee kennis dat regstappe teen u ingestel, en dat die koste daarvan van u verhaal sal word.

Die uwe

[Signature]

MUNISPAALE BESTUURDER
2 April 2009

Jubilee Year Ministries Int
Posbus 107
RHEENENDAL
6576

Geagte Mr Marbi

KANSELLERING VAN DIE GEBRUIK VAN ERF 534, RHEENENDAL

Ek verwys na my brief gedateer 24 Oktober 2008 waarin toestemming verleen is vir die opriëging van ’n tent vir tydelike kerkdienste op erf 534, Rheenendal.

Die vergunning aan u verleen soos hier bo vermeld word hiermee terug getrek en u word versoek om die terrein op 30 April 2009 terug te besorg in dieselfde toestand soos u dit ontvang het. Dit word verder aan u gemeld dat u onmiddellik moet staak met die bou en omheiningsaktiwiteite en dat die strukture reeds aangebring afgeslaan moet word. Die toestemmingsbrief soos hierbo vermeld het uitdruklik vermeld dat geen permanente strukture opgerig mag word nie.

Mr Sharlen Appels van ons Reenendal kantoor sal u van enige verdere inligting en verdere verduidelikings voorsien.

Die uwe

JB Douglas
MUNISIPALE BESTUURDER

Please address all correspondence to the Municipal Manager and quote the above reference
24 Oktober 2008

Jubilee Year Ministries Int
Posbus 107
RHEENENDAL
6576

Geagte Mnr Marbi

AANSOEK OM GEBRUIK VAN ERF 534, RHEENENDAL

Ek verwys na u brief gedateer 24 Oktober 2008 in die bogenoemde verband.

Vergunning word hiermee verleen vir die gebruik van erf 534, Rheenendal vir doeleindes om ’n tent op te slaan vir Kerkdienste vanaf 1 November 2008 tot 31 Januarie 2009. Dit word verneem dat u alreeds die tent opgeslaan het voordat u die aansoek ingedien het. Hierdie optrede van u word betreur en ek versoek u om in toekomstige onderhandelings die nodige respekte te betoon.

Die volgende voorwaardes sal deurentyd geld:

- Tydelike toilette moet aangebring word.
- Daar moet voldoen word aan die Brandweer vereistes.
- Geen permanente strukture mag opgerig word nie.
- Geen steunis vir die gemeenskap mag as gevolg van u aktiviteite ontstaan nie.
- Die Munisipaliteit aanvaar nie verantwoordelikheid vir enige verliese of skade wat enige persoon of instansie mag ervaar as gevolg van u projek nie.

Sou u enige verdere inligting verlang omtrent hierdie aangeleentheid geliewe dan te skakel met Sharlen Appels van ons Reenendal kantoor.

Die uwe

[Signature]

Reggie Smit
WAARNEMENDE MUNISIPALE BESTUURDER
Jubilee Year Ministries Int

A.R. Marbi
Gemeente Sekretaris
Postbus 107
Rheenendal
6576
E-mail: alberto.marbi@yahoo.com
Cell. 0784655903
24 Oktober 2008

Die Munisipale Bestuurder
Knysna Munisipaliteit
Clydestraat
Knysna
6570

Vir Aandag M. Bonthuys

Insake: Aanvrae om gebruik van erf 534 h/v Num-Num en Suikerbekkiesstraat

Hierby wil ons as die hogenominne Kerk graag aanvra vir die tydelike gebruik van erf 534 op die hoek van Num-Num en Suikerbekkiesstraat in Rheenendal. Ons het die grond reeds in die verlede gehuur by die vorige Kerk in wie se besit die grond was. Ons wil graag die grond gebruik vir 'n tydperk van 3 (drie) maande werkend vanaf 01 November 2008 tot 31 Januarie 2009.

Ek leg hierby aan alle dokumentasie deur die kerk aangegaan tot dusver rakende die koop van die grond waarvan melding gemaak word. Aanhangsels 1 tot 7 in hierdie brief aangeheg.

U kan die sekretaris A.R. Marbi skakel by 0784655903 of Pastoor JJ Mowers by 0829327364.

By voorbaat dank

Die uwe
HUUR OOREENKOMS

MEMORANDUM VAN HUUR OOREENKOMS TUSSEN

CHRISTIAN FAITH MISSION CHURCH (HIERNA GENOEM DIE VERHUURDER).
ADRES POSBUS 1517 HORNLEE KNYSNA 6583.

EN

JUBILEE JAAR GEMEENTE (HIERNA GENOEM DIE HUURDER)
ADRES. HOOFSTRAAT 314 RHEENENDAL 6576.

OOREENKOMS.

1. DIE VERHUURDER VERLEEN HIERMEE TOESTEMMING AAN DIE HUURDER VIR DIE GEBRUIK VAN ERF 534, WAT GELEE IS OP DIE HOEK VAN NUM-NUM EN SUIKERBEKKIE STRAAT TE RHEENENDAL.

2. DIE HUURDER HET NET TOESTEMMING VIR DIE OPRIGTING VAN N TENT, WAT GEBRUIK SAL WORD VIR KERK DOELEINDES.

3. GEEN PERMANENTE STRUKTURE MAG OPGERIG WORD NIE.

(1)
4. DIE HUURDER MOET SORG DAT DIE PERSEEL ALTYD IN N ORDELIKE TOESTAND GEHOU WORD.

5. DIE HUURDER IS SELF VERANTWOORDELIK VIR TYDELIGE ABLUSIE GEREWE.

6. DIE HUURGELD BELOOP **R30-00 PER DAG** WAT VOORUIT BETAALBAAR IS.

7. HIERDIE OOREENKOMS IS SLEGS GELDIG VANAF **15 APRIL 2008 TOT 2 JUNIE 2008.**

GETEKEN TE KNYSNA OP HIERDIE **15de DAG VAN APRIL 2008.**

NMS. VERHUURDER

[Signature]  PAST. J. GROOTBOOM

NMS. HUURDER  

[Signature]  PAST. J.J. MOWERS
Die Voorsitter
Jubilee Jaar Gemeente
Posbus 107
Rheenendal
6576

Christelike Groete.

**INSAKE: AANKOOP VAN ERF 534, H/V SUIKERBEKKIE EN NUM-
NUMSTRAAT, RHEENENDAL.**

Die bestuursraad van die C.F.M. kerk het die volgende besluite rakende u aansoek geneem.

1. Dat die bestuursraad van die C.F.M. kerk bogenoemde erf aan die Jubilee Jaar Gemeente vir die bedrag van R50 000-00 (veertigduisend rand) sal verkoop.

2. Dat sodra ons prokureurs, Mossel en Pama die Transport aktie vanaf die akte kantoor te Kaapstad ontvang het, ons met die amptelike verkoopsooreenkomst sal voortgaan.


4. Dat u self vir die oordagkoste verantwoordelik sal wees.

5. Dat die huurooreenkomst met u op u maand tot maand basis sal voortgaan, teen dieselfde bedrag soos voorheen ooreengekom.

Godsrykste seen.

Die uwe

M. Arends
PROFORMA STATEMENT OF ACCOUNT

Our Ref.: SUE MOSDELL/Susan/UN1404

Jubilee J. Ministries
Kynsna

TRANSFER ERF 534 RHEENENDAL: CHRISTIAN FAITH MISSION / JUBILEE J. MINISTRIES

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BANKING DETAILS:

MOSDELL PAMA & COX
NEDBANK KYNNSA
TRUST ACC. NO. 1089 013 272
BRANCH CODE: 108914
RESOLUTION PASSED AT A MEETING OF THE BOARD MEMBERS OF JUBILEE YEAR MINISTRIES INTERNATIONAL

HELD AT KNYSNA

ON THE

RESOLVED THAT:

1. The Church buys the following property:

ERF 534 RHEENENDAL
IN THE MUNICIPALITY AND DIVISION OF KNYSNA, WESTERN CAPE PROVINCE
IN EXTENT 1501 (ONE THOUSAND FIVE HUNDRED AND ONE) SQUARE METRES

from CHRISTIAN FAITH MISSION

for the sum of R50 000.00 (Fifty Thousand Rand), to take transfer thereof.

2. That JOHANNES JACOBUS MOWERS in his/her capacity as a Board member be and is hereby authorised to sign the relevant documents which may be necessary for the registration of transfer thereof into the name of JUBILEE YEAR MINISTRIES INTERNATIONAL.

CERTIFIED A TRUE COPY

[Signatures]
5 August 2008

Messrs Mosdell Pama & Cox
P O Box 997
KNYSNA
6570

Dear Madam

TRANSFER: KNYSNA MUNICIPALITY / CHRISTIAN FAITH MISSION ERF 534 RHEENENDAL

Your letter dated 31st July 2008 in the above regard refers.

Annexed hereto please find a copy of letter addressed to Christian Faith Mission, the contents of which is self-explanatory. Christian Faith Mission is in breach of the agreement as they did not erect the proposed buildings within the time frame as stipulated. In view of the above, the agreement is therefore cancelled with immediate effect and you are hereby instructed to cease any further action with regard to the transfer of the property.

Yours faithfully

[Signature]

D'ADONIS
MANAGER: INTEGRATED HUMAN SETTLEMENTS
5 August 2008

Christian Faith Mission
P O Box 1517
Hornlee
KNYSNA
6570

Dear Sir

TRANSFER: KNYSNA MUNICIPALITY / CHRISTIAN FAITH MISSION ERF 534 RHEENENDAL

We refer to the above matter as well application for transfer which is handled by Mosdell Pama and Cox and wish to refer you to clause 14 of the agreement you have with Knysna Municipality which states:

"The purchaser or his successor in title must within a period of two (2) years from date of signature of the Agreement construct a house or buildings for which purpose the property is purchased, to the satisfaction of the Seller. Should the buildings not be constructed, the Seller has the right to cancel this Agreement in which event the purchaser will be entitled to compensation equal to the amount that the Purchaser has paid as capital redemption of the purchase price of the property to the Seller together with the Seller's valuation of any approved improvements that the Purchaser had brought about on the property. The Seller can at his discretion increase the period within which the buildings have to be constructed."

You were in breach of the agreement as you did not erect the proposed buildings within the time frame as stipulated. In view of the above, the agreement is therefore cancelled with immediate effect.

Yours faithfully

D'ADONIS
MANAGER: INTEGRATED HUMAN SETTLEMENTS
To: The Municipal Manager  
Knysna Municipality  
Clyde Street  
Knysna  
6570

For Att: Johnny Douglas, Reginald Smith, Eleonor Bouw-Spies, Donnie Kemoetic, Victor Molosi, Andrew Finn, Charl Botha

Re: Plot 534 Car of Num-Num & Suikerbekkie Street Rieneendal

On Friday 15 August 2008 we as the above mentioned Church received a letter from our Lawyer Mosdell & Pamm that the contract of buying a portion of land plot 534 Num-Num & Suikerbekkie Street Rieneendal, between oursefes as Jubilee Year Ministries International and Christain Faith Mission situated at Hornlee has been cancelled. The reason for that was the bridge of contract between Christain Faith Mission and Knysna Municipality. We as that discrediteed party knew nothing about the agreement between the above mentioned organizations.

About five months ago we started looking for church ground and we went to see Mario Bonthuys at the municipal offices. His response to that was that there is no church ground available in Knysna and the best would be to buy private property. His recommendation was the plots that was about to come out on tender but we said that the process was too long. We showed him the piece of land on a map that was for sale by Christain Faith Mission at the car of Suikerbekkie and Num-Num Street and he urged us to go ahead with the process. We started the processes between ourselfs and Christain Faith Mission. We went forth with the payment agreements and even for three months wood rent on the land to Christain Faith Mission. That very same piece of land is now been taken back by Knysna Municipality. We had costs running on that piece of land so we cant just now sit back and forget about it.

The following costs were being used on the plot so far. We bought fencing poles from and wire that cost us R45 000. Furthermore we got a loan of R100 000 of which we bought a Steel Construction of R96 000 from a company in Oudtshoorn which is now in the making. The reason for that was that we did went to see building Consultants to ask wether we could do so and they agreed upon. A Tent is also on the way from East London of R20 000 as well as 200 chairs of R100 each which the members of the denomination bought themselves to put in the tent which will be our tempory accomodation on the ground until we start building.

Jubilee Year Ministries International is currently five months old and already generated a lot of money as you could see in the above paragraph. We make use of money generated from our own people in the denomination and funding from some businesses. We not scared of giving out money to help the community like we already did up until now. For last couple of months we made use of the civic hall for for having church because we are in fact the fastest growing church in Rieneendal. We have computers that we busy installing to teach members of the community during the week. And it is not computers sponsored by any business but our own.

That shows the determination of the people as well as the excitement of having their own church because we dont just want another church. We are a organization which works in this community.
and the plan of this ground was also to have a part where we can help the youth and elderly with projects to uplift the community as we know that there are no facilities in Rheenendal and the current availability of the civic hall were also considered as we have to always struggle to get access to the hall. We moved away with only church where the building are being used two times per week but as a white elephant for the rest of the week. We are now currently in the process to register as a Section 21 Company with a board of Directors. Like we say we totally moved away with the ordinary church setup because we saw that that kind of management is out fashioned and only the church that benefits and not the community as such.

We feel that we went through all the legal processes to gain access to that specific land but just feel discredited in the way things are standing now.

Our main concern as a Church is what are we going to do now as we had costs running on that land and we would like you to strongly consider that when you are sitting with this letter.

Please feel free to contact Alberto on 0784655903 or Pastor J.J Mowers at 0829527364.

Yours truly,
Alberto Macht

J.J Mowers
Ref: 17/11/1

Enquiries: Mario Bonthuys
Mosdell, Pam Cox
P.O.Box 997
Knysna
6570

Dear Sir/Madam

Erf 534 Rheenendal: Christian Faith Mission Church

Your letter dated 22 August 2008 regarding the above refers,

Note has been taken of the content of the abovementioned letter, although we would like to confirm that the contract has been cancelled and the amount due to the Christian Faith Mission has already been paid out to Pastor Grootboom.

As you are aware, the Municipality entered into an agreement with the Christian Faith Mission and has no other obligation towards the brake away group. The land will be advertised per tender, which allow the leadership of A New Beginning in Christ Church to submit an offer for the land.

Mr. Mario Bonthuys will be responsible for the tendering process and he can be contact for any further information regarding the tender process.

We trust you will find it in order.

Yours, truly

D. Douglas
Municipal Manager
The Municipal Manager  
Knysna Municipality  
BY HAND DELIVERY  

Dear Sir  

ERF 534 RHEENENDAL : CHRISTIAN FAITH MISSION CHurch  

In this matter you have informed us that the sale of the property to Christian Faith Mission Church is to be cancelled due to the failure of the church to erect a building on the property within two years.  

We have now been approached by Mr Mervin Muller and Mrs Hiran Maart who inform us that they are the leaders of A New Beginning in Christ Church, which is a church which was constituted following a split in the Christian Faith Mission Church. The split apparently occurred after the property was sold to the church. As congregants of the Christian Faith Mission Church they and their fellow congregants apparently made financial contributions towards the purchase and development of

Clifford Mosdell • Perino Pama BA LLB LLM • Susan Mosdell BA Hons (English) LLB • Andrew Cox BA LLB • Emile Schmelz BA LLB • Melony Paulsen LLB  
Consultant: Yogen Pama & Partners • Candidate Attorneys: Nkandule Ngxela LLB • Cindy Allan LLB  
also at 6 High Street, Plettenberg Bay
the property and were under the impression that Pastor Grootboom who was then the leader of Christian Faith was complying with all the obligations of the church regarding the property.

We confirmed to Messrs Maart and Muller that the Municipality has a full right to cancel the sale agreement, but we nevertheless undertook to place the facts as told to us by them before you in this letter. We understand that they will also be making representations to you directly on behalf of A New Beginning in Christ requesting that the property now be sold to their organisation.

Should you have any further instructions for us in the matter, we look forward to hearing from you in this regard.

Yours faithfully
MOSDELL PAMA & COX

per: SUE MOSDELL
5 August 2008

Messrs Mosdell Pama & Cox
P O Box 997
KNYSNA
6570

Dear Madam

TRANSFER: KNYSNA MUNICIPALITY / CHRISTIAN FAITH MISSION ERF 534
RHEENENDAL

Your letter dated 31st July 2008 in the above regard refers.

Annexed hereto please find a copy of letter addressed to Christian Faith Mission,
the contents of which is self-explanatory.
Christian Faith Mission is in breach of the agreement as they did not erect the
proposed buildings within the time frame as stipulated.
In view of the above, the agreement is therefore cancelled with immediate effect
and you are hereby instructed to cease any further action with regard to the
transfer of the property.

Yours faithfully

[Signature]

D. ADONIS
MANAGER: INTEGRATED HUMAN SETTLEMENTS
5 August 2008

Christian Faith Mission
P O Box 1517
Hornlee
KNYSNA
6570

Dear Sir

TRANSFER: KNYSNA MUNICIPALITY / CHRISTIAN FAITH MISSION ERF 534 RHEENENDAL

We refer to the above matter as well application for transfer which is handled by Mosdell Pama and Cox and wish to refer you to clause 14 of the agreement you have with Knysna Municipality which states:

"The purchaser or his successor in title must within a period of two (2) years from date of signature of the Agreement construct a house or buildings for which purpose the property is purchased, to the satisfaction of the Seller.
Should the buildings not be constructed, the Seller has the right to cancel this Agreement in which event the purchaser will be entitled to compensation equal to the amount that the Purchaser has paid as capital redemption of the purchase price of the property to the Seller together with the Seller’s valuation of any approved improvements that the Purchaser had brought about on the property. The Seller can at his discretion increase the period within which the buildings have to be constructed."

You were in breach of the agreement as you did not erect the proposed buildings within the time frame as stipulated.
In view of the above, the agreement is therefore cancelled with immediate effect.

Yours faithfully

D’ADONIS
MANAGER: INTEGRATED HUMAN SETTLEMENTS
Aanbieding om erf 534 Rheenendal Num Num te koop.

Hiermee rig ons as Jubilee Year Ministries gemeente om aanbieding op erf 534 Rheenendal Num Num te koop. As kerk is ons al 11 jaar op hierdie erf en is gestig in Rheenendal as ook inwoners van Rheenendal. Hierdie kerk bestaan uit 'n ledetal van +200 na 250 lede waarvan dit uit 4 departemente bestaan Sondagsskool, Jeug, Sisters en Broers met 'n bree Kerkraad. Hierdie Kerk dien en bedien al reeds die gemeenskap met begraafnisse, verjaarsdae en gemeenskap vergaderings asook jeugbyeenkomste insamewerking met ander kerke in hierdie gemeenskap oor die 11 jaar het daar n goeie verhouding plaasgevind onder die leiers van Rheenendal.

Hierdie Kerk het elke jaar April Maand 'n kinderdag waar ons die gemeenskap kindersbetrek. Elke jaar in June Maand hou ons Jeugkonferansie waar ons plaaslike jeug nooi sowel as jeug van ander wyke in die omgewing. In die Augustus hou ons 'n week en 'n weekkonferansie waar ons dan besoek word van vroue van verschillende gemeentes sowel as verschillende plekke.

As n kerk beoog ons om hierdie kerk in sy volle liggaam en funksie te laat bestuur in hierdie gemeenskap. Vir die afgelope 2 jaar het ons as Kerk in December n Kersefeest begin gee vir 300 minder bevoorregte kinders in Rheenendal waar die kerk as hoof borg is. Ons het ook hulp ontvang van Knysna Munisipaliteit. Vir die toekoms hulp ons as kerk om een keer n week n soppomte aan te het wat die Kerk self sal bestuur as ook 'n jeugsentrum op Vrydae en Saterdae.

As Kerk het ons nie al hierdie genouwe soos 'n kombuis, toilet en 'n waterpunt om as goed te funksioneer nie en huidiglik is ons onder n Tent. Ons as Kerk sal dit waardeer as Knysna Munisipaliteit hierdie erf 534 aan ons verkoop om die Kerk te kan bou en hierdie kerk se doel en drome ten volle navore kan kom.
JUBILEE YEAR MINISTRIES

A NEW BEGINNING IN CHRIST

H/v Suikerbekkie en Num-Num Straat
RHEENENDAL
6576
Cell: 0829527364/ 0786376808
13 April 2017

VIR AANDAG: DIE MUNISIPALE BESTUURDER
Knysna Munisipaliteit
KNYSNA
6576

AANSOEK OM REGMATIGE EIENAARSKAP VIR ERF 534 TE RHEENENDAL

Geagte Mnr. Douglas

Die bogenoemde Kerk, onder leiding van Mnr. Johannes Mowers, die vader van die bogenoemde Kerk, asook die gemeente graag aansoek doen vir regmatige eienaarskap by die Knysna Munisipaliteit vir die grond wat ons tans gebruik.

Erf 534 is geleë op die h/v Suikerbekkie en Num-Num straat te Rheenendal.
Hier volg die redes:

Een van die hoof redes is, ons het belowe om ons gemeenskap te dien en te help en dis wat ons vir die 9 jaar doen.

Ons is tans in ’n Tent vir 9 koue winters en 9 warm somers, maar bly die uitkoms vir ander.

Ons help mense in nood met:

Begraafnisse

Troues

Funksies

Ons het ’n aktiewe Jeug, Sondagskool, en senior burger getal.

Die bogenoemde Kerk is al vir 9 jaar daar gevestig, met vasgestelde kerk ure.

Ek was al by die Knysna Munisipaliteit. Hierdie is weer ’n nuwe begin. Kan ek asseblief aanvra vir ’n afspraak met iemand wat hierdie versoek vir ons kan beantwoord. Ons wil graag onderhandel. Dankie dat u die tyd gemaak het om hierdie brief te lees.

By voorbaat dank

J.J. Mowers  Apostile  0629527364

E. D’Lisanie  Sekretaresse  0726708697
APPLICATION TO PURCHASE SERVITUDE ROAD ALONGSIDE
ERF 13066, KNYSNA

REPORT FROM THE DIRECTOR CORPORATE SERVICES

PURPOSE OF THE REPORT

To request the Municipal Council to consider the application of Ed Harris on behalf of the River House Trust, to dispose of a portion of the servitude road on Erf 13066, Knysna in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

PREVIOUS RESOLUTIONS

This matter served before the Municipal Council and a resolution was taken on the 28th of November 2019, “that the Municipal Manager advertise the intended alienation of a portion of Portion 6 of the Farm Hoogekraal No. 182 to the owner of Portion 19 of the Farm Hoogekraal No 182”.

See Council resolution below:

“MG11/11/19 APPLICATION TO PURCHASE SERVITUDE ROAD ALONGSIDE ERF 13066, KNYSNA

UNANIMOUSLY RESOLVED

[a] That the report and annexure’s regarding the application to purchase servitude road alongside Erf 13066, Knysna dated, be noted;

[b] That, in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager appoints the Municipal Valuer, DDP Valuers, to determine the fair market value of subject property;

[c] That the Municipal Manager advertises the intended alienation of a portion of Portion 6 of the Farm Hoogekraal No. 182 to the owner of Portion 19 of the Farm Hoogekraal No 182, and

[d] That the Governance and Economic Development Committee undertake a site inspection prior to the submission of a further report, incorporating the comments from the public participation process, as well as Infrastructure Services to the Governance and Economic Development Committee scheduled to take place in February 2020.

File Number: 9/1/1/1/2
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services”
It should be noted that resolution [c] was a typo error. Resolution [c] should have read:

[c] That the Municipal Manager advertises the intended alienation of the servitude road alongside Erf 13066, Knysna to the owner of Erf 13066, Knysna, and

BACKGROUND/DETAILS OF APPLICATION

The River House trust is interested in purchasing from Council the section of servitude road marked “Servitude A” on the attached map marked Annexure A. The portion of servitude road alongside their property being Erf 13066, Knysna, which property is owned by the applicant.

The applicant submits that the servitude has been unused ever since it was created and because of terrain will never be used.

The applicant intends extending its current property boundary and putting up a perimeter fence. A comprehensive application letter is attached hereto marked (See Annexure A).

CURRENT ZONING

Erf 13066, Knysna is zoned Agricultural Zone I.

CURRENT USAGE OF PROPERTY (Viable or non Viable Municipal Land)

The property (Erf 13066, Knysna) is registered in the name of The River House Trust (FREDERICK CLAUD STURROCK PROP TRUST), however, the servitude registered over a portion of Erf 13066, Knysna is in favour of the general public. The property is currently not used as access for the general public, due to its location.

CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL

Erf 13066, Knysna is valued at R 10 500 000 on the valuation roll.

INTENDED FUTURE USAGE OF PROPERTY

The Municipality have no intended use for Erf 13066, Knysna as the property is not accessible for the public.

DISCUSSION

Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) deals with disposal of capital assets of municipalities and reads as follows:

“14. Disposal of capital assets:

(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –

(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

(3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

(4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection 2(a) and (b) in respect of movable capital assets below a value determined by the council.

(5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111…”

The portion of the servitude on Erf 13066, Knysna is not needed to provide the minimum level of basic services. The servitude in question is not accessible and it is not foreseen that the portion in question will be needed to provide the minimum level of basic municipal services.

The Knysna Municipality Supply Chain Management Policy 2018/19 approved by the Municipal Council on 6 June 2018 states the following with regards to “Disposal Management”;

“40. Disposal management
(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;
(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset
(3) The Accounting Officer must ensure that –
   (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
   (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
   (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
   (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
   (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
   (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
   (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.”

The Municipality’s overall objective of its SCM Policy is to ensure the efficient, effective and uniform sale and letting of assets that conforms to constitutional and legislative principles and
to ensure the efficient, effective and uniform management and disposal of goods and assets. The SCM Policy states land disposal will be as per the Asset Transfer Regulations and the applicable policy.

Although all the relevant legislation states that the property in question does not need to follow a public participation process, as a public participation process would have no purpose. The intended alienation of a portion of the servitude registered in favour of the general public on portion of Erf 13066, Knysna to the owner of Erf 13066, Knysna was advertised for public comments and objections (See Annexure B).

Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:

“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –

[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

[b] the municipal council –

(i) has made the determinations required by section 14(2)(a) and (b); and

(ii) has a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset. If the combined value of any capital assets a municipality intends to transfer or dispose of in any financial year exceeds five per cent of the total value its assets, as determined from its latest available audited annual financial statements, subregulation (1)(a) must be complied with in relation to all the capital assets proposed to be transferred or disposed of during that year.”

The Municipal Asset Transfer Regulations define “high value” as, “in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds any of the following amounts:

(a) R50 million;

(b) One per cent of the total value of the capital assets of the municipality or municipal entity, as determined from the latest available audited annual financial statements of the municipality or entity; or

An amount determined by resolution of the council of the municipality or of the parent municipality of the municipal entity which is less than (a) or (b).”

This property thus is not deemed as a high value property as it is only a small portion of the big Erf and Sub-regulation (1) (a) thus does not have to be complied with. No public participation in terms of Sub-regulation (1) (a) thus need to be followed. It should however be noted that the intended alienation was advertised in the local newspapers.

As per regulations 7 of the Asset Transfer Regulations the following should be taken into account:

(a) It is not fore seen that the Municipality would require the portion in question of Erf 13066, Knysna for the Municipality’s own use at a later date. No one can use this portion of the servitude.;
(b) There would be no expected losses only gains as the portion in question should be disposed of at a price not lower than market related;

(c) The compensation of not lower than market related value to be received by the Municipality will result in a significant financial benefit to the municipality as currently the Municipality is even not receiving rental for the using of Municipal owned property;

(d) There would be no risks for the Municipality after the portion in question is alienated as the new owner will carry all the risks;

(e) The alienation of the portion in question of Erf 13066, Knysna would have no significant effect on the credit rating of the municipality as it is only a portion of a servitude, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;

(f) No consequences for the Municipality in alienating a portion of Erf 13066, Knysna because of limitations or conditions attached to the capital asset;

(g) It is estimated that the portion in question of Erf 13066, Knysna be alienated at a cost of R 270 000.00, as this is what the applicant proposed and it is not lower than the market value of the property, as determined by DDP Valuers;

(h) There is no liabilities or reserve funds associated with the portion of Erf 13066, Knysna;

(i) Not necessary to conduct public participation process as the portion in question is not a High Value property. However, the intended alienation of a portion of Erf 13066, Knysna was advertised;

(j) Not necessary to conduct public participation process as the portion in question of Erf 13066, Knysna is not a High Value property. No views and recommendations on the proposed transfer requested from National Treasury and the relevant provincial treasury;

(k) Not necessary to conduct public participation process as portion in question of Erf 13066, Knysna is not a High Value property. No interests of any affected organ of state and interests of the local community requested; and

(l) The request for transfer the portion in question of Erf 13066, Knysna is being tabled before the Municipal Council to comply with all relevant legislation and policies applicable to the transferring of Municipal owned capital.

The purpose of the Knysna Municipality Management of Immovable Property Policy is to provide a framework for the management and disposal of the municipality’s land and other immovable capital assets that are not needed to provide the minimum level of basic municipal services and that are surplus to the municipality’s requirements. The Municipality’s land and other immovable capital assets shall be disposed of in the manner as provided for in the Management of Immovable Property Policy.

The general Principles pertaining to the disposal of immovable property and rights in immovable property requires that the disposal of viable immovable property shall be affected by means of a process of public competition and at market value except when the public interest or the plight of the poor demands otherwise.
The portion in question of Erf 13066, Knysna can be declared as surplus and be earmarked for disposal. The Management of Immovable Property Policy describes the most appropriate use for a surplus property is one which achieves an optimum balance between the following three key elements of sustainable development:

(i). the protection of ecological processes and natural systems;
(ii). the optimum financial return to and economic development of the municipal area; and
(iii). the enhancement of the cultural, economic, physical and social wellbeing of people and communities.

According to the Management of Immovable Property Policy Council may use any of the following methods of disposal, depending on the circumstances pertaining the specific property:

(i). Formal Tender;
(ii). Public Auction;
(iii). Closed Tender; and
(iv). Unsolicited proposals.

The proposed method of disposal is by unsolicited proposal as according to the Management of Immovable Property Policy as disposal by unsolicited proposal is the most appropriate as the owner of Erf 13066, Knysna is the only owner that can benefit from the portion of land as it is only a portion of the servitude registered on the Erf. It is thus proposed that the portion in question should be alienated to the owner of Erf 13066, Knysna.

COMMENTS FROM SENIOR MANAGEMENT

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
For consideration by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
The application is noted.

COMMENTS FROM LEGAL SERVICES
Recommendations are supported. The legal implications stem from the terms and conditions of the agreements which will be concluded and the conditions imposed by the Council resolution.

COMMENTS FROM IHS
Noted
PUBLIC PARTICIPATION PROCESS AND OUTCOME

The intended alienation of a portion of Erf 13066, Knysna was advertised in the local newspapers (see Annexure B). No comment and or objection was received.

FINANCIAL IMPLICATIONS

This Municipal property must be alienated at a price not lower than market related price as determined by a professional Valuer. Should the property be disposed of, there will be no cost to the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

The applicant offers an amount of R 270 000.00 to purchase the said property. The Municipal Valuer have determined the current market value of the subject property to be R14 000.00 (see Annexure C). The applicants offer should thus be accepted as it is not lower than the current market value as determined by DDP Valuers.

RELEVANT LEGISLATION

Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations
Management of Immovable Property Policy
Knysna Municipality Supply Chain Management Policy

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report on the application to purchase servitude road alongside Erf 13066, Knysna be noted;

[b] That it be noted that the intended alienation of Erf 13066, Knysna was advertised for public comment and/or objections and none were received;

[c] That the advertising of Erf 13066, Knysna, without a Council resolution be ratified;

[d] That it be noted that in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the portion of Erf 13066, Knysna to be alienated, is deemed not needed to provide the minimum level of basic Municipal Services;

[e] That it be noted that the fair market value of the portion of Erf 13066 is R14 000.00 as determined by the municipal valuer, DDP Valuers, in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, and the economic and community value to be received in exchange for the Property;

[f] That approval be granted for the disposal of the portion of Erf 13066, Knysna in terms of Section 5(b)(ii) of the Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations; and

[g] That the Municipal Manager signs a sale agreement with the applicant at the offered amount of R270 000.
APPENDIX / ADDENDUM

ANNEXURE A – Map indicating Servitude Application – Ed Harris (Mosdell Pama & Cox) o.b.o River

ANNEXURE B – Advertisement

ANNEXURE C – DDP Valuers valuation

File Number : 9/1/1/1/2
Execution : Acting Municipal Manager
            Director : Corporate Services
            Manager : Legal Services
ANNEXURE C

Valuation Report

PROPERTY: A Proposed Portion of
The servitude adjacent
Erf 19066 Knysna

REFERENCE No: DPJM2284
REPORT No: 01
DATE: 07 April 2020

Report prepared by: Comé Theron
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1. CONTACT DETAILS

<table>
<thead>
<tr>
<th>Name</th>
<th>Corne Theron</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Valuer</td>
</tr>
<tr>
<td>Organisation</td>
<td>DDP Values (Pty) Ltd</td>
</tr>
<tr>
<td>Address</td>
<td>Menlyn Square Office Park</td>
</tr>
<tr>
<td></td>
<td>North West Suite</td>
</tr>
<tr>
<td></td>
<td>1st Floor, East Block</td>
</tr>
<tr>
<td></td>
<td>134 Aramist Avenue</td>
</tr>
<tr>
<td></td>
<td>Menlyn, Pretoria</td>
</tr>
<tr>
<td>Phone</td>
<td>+27 (12) 369 9100</td>
</tr>
<tr>
<td>Fax</td>
<td>+27 (12) 86 666 1817</td>
</tr>
<tr>
<td>Mobile</td>
<td>+27 (82) 459 5401</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:corne.theron@ddp.co.za">corne.theron@ddp.co.za</a></td>
</tr>
<tr>
<td>Website</td>
<td><a href="http://www.ddp.co.za">www.ddp.co.za</a></td>
</tr>
</tbody>
</table>

2. SUMMARY OF KEY FACTS

<table>
<thead>
<tr>
<th>Subject Property</th>
<th>An unregistered portion of the servitude adjacent Erf 13066 Knysna</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type</td>
<td>Vacant</td>
</tr>
<tr>
<td>Effective Date Of Valuation</td>
<td>20 November 2019</td>
</tr>
<tr>
<td>Method Of Valuation</td>
<td>Comparable Sales Method</td>
</tr>
<tr>
<td>Report Number</td>
<td>01</td>
</tr>
<tr>
<td>DDP Reference Number</td>
<td>DDPMUN2284</td>
</tr>
<tr>
<td>Instructing Party</td>
<td>Renwill Hardnick, Knysna Local Municipality</td>
</tr>
<tr>
<td>Instructing Party Reference</td>
<td>N/A</td>
</tr>
<tr>
<td>Erf Extent</td>
<td>±1 096m²</td>
</tr>
</tbody>
</table>

3. INTRODUCTION

3.1. INSTRUCTION

DDP Valuers was instructed by Knysna Local Municipality as represented by Mr Renwill Hardnick to determine the market value of the subject property as described in this report.

3.2. PURPOSE OF VALUATION

The purpose of this valuation report is to determine the fair market value of the subject property as at the date of valuation.

3.3. METHOD OF VALUATION

The Sales Comparison Approach to value compares the subject property to similar properties that have sold under similar market conditions. The value indicated is established by comparing the subject property with similar properties, called comparable sales. Comparable sales are recent property transactions of property that were sold in accordance with the definition of market value.
The International Valuation Standards 2007 defines the sales comparison method as: “The comparative approach considers the sales of similar or substitute properties and related market data, and establishes value estimated by processes involving comparison. In general, a property being valued (subject property) is compared with sales of similar properties that have been transacted in the market.”

3.4. DEFINITIONS

**Market Value:** The estimated amount for which a property (asset) should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-lengths transaction after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion.

3.5. EFFECTIVE DATE OF VALUATION

07 April 2020

3.6. INFORMATION SOURCES

- Deeds Office Cape Town
- Chief Surveyor General
- Local Authority – Knyasa Local Municipality
- Lightstone Property Transfers

4. DESCRIPTION OF IMPROVEMENTS

As per instruction from the client, this valuation excludes all improvements and only reflects a value allocated to the land portion of the subject property.

**This valuation excludes any improvements and reflects land value only.**
5. LOCATION

5.1. LOCATION

The subject property is an unregistered portion of the servitude situated on the eastern boundary of Erf 13066 Knysna marked as "A" below:

Figure 1 Micro location

Figure 2 Macro location
5.2. SITE DESCRIPTION

The proposed portion of 1 080m² in extent is a rectangular shaped land adjacent the eastern boundary of erf 13066 Knyana.

6. MARKET COMMENTARY

The most accurate method to determine an appropriate rate is through evidence produced by actual market transactions. This information is not always readily available, as there is an encumbrance of confidentiality of transactions, corporate transfers and lack of access which hamper the comparison process.

There following comparable sales are vacant land sales that can be utilised to determine a rate for the subject portion:

Comparable sale 1:

<table>
<thead>
<tr>
<th>Property Details</th>
<th>Value or part [ ]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type:</td>
<td>FIRE PROOFED</td>
</tr>
<tr>
<td>Municipality:</td>
<td>WESTERN CURE</td>
</tr>
<tr>
<td>Size:</td>
<td>6</td>
</tr>
<tr>
<td>Street:</td>
<td>Not Available</td>
</tr>
<tr>
<td>Last Sale Date:</td>
<td>2017/06/04</td>
</tr>
<tr>
<td>Land Size (approx):</td>
<td>2 902 ha</td>
</tr>
<tr>
<td>Land Use (approx):</td>
<td>2 902 ha</td>
</tr>
<tr>
<td>Estimate Sale Value:</td>
<td>Not Available</td>
</tr>
</tbody>
</table>

This property sold less than three months after the Knyana fires in June 2017. The main building was destroyed in the fires and the structures visible on the aerial image are carport like structures only. The transaction was for the land component of the property.

Selling rate = R111.23/m²
Comparative sale 2:

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Property ID</th>
<th>Legal Description</th>
<th>Municipality</th>
<th>Erf</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freehold</td>
<td>12345</td>
<td>123 Main Road</td>
<td>Reevew</td>
<td>989</td>
</tr>
</tbody>
</table>

Selling rate = R26.05/m²

Comparative sale 3:

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Property ID</th>
<th>Legal Description</th>
<th>Municipality</th>
<th>Erf</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freehold</td>
<td>67890</td>
<td>678 Back Street</td>
<td>Rexton</td>
<td>545</td>
</tr>
</tbody>
</table>

Selling rate = R62.77/m²

Indicated rates:
- Comparable sale 1 = R111.23/m² - 38 660m²
- Comparable sale 2 = R28.05/m² - 345 503m²
- Comparable sale 3 = R62.77/m² - 5 576m²

Average rate = R66.68/m²

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7. **MOTIVATION**

For the purpose of this valuation the following will be considered in determining a market related rate for the subject properties:

- The location of the comparable sales compared to the location of the subject property;
- The typography, size, shape and accessibility of comparable sales compared to those offered by the subject property;
- The availability of municipal services;
- The intended use of the subject property as part of erf 13066;
- The availability of infrastructure in the direct vicinity;
- The subject portion will only have a demand from the owner(2) of the adjacent properties;
- The subject property is an unregistered portion that forms part of a servitude and does not offer its own title deed or zoning;
- The shape and layout of the property makes it non-viable for development;
- There will be no open market demand for the subject portion; and
- The low number of registered property sales transactions in the micro area for the past three years.

8. **CONCLUSION**

Given the above, a negative adjustment will be required for location, availability of services, registration status, zoning, supply and low demand etc. Therefore a further 80% deduction will be applied to the average rate of R68.68/m².

**CALCULATION:**

\[ 1080 \text{m}^2 \times R13/\text{m}^2 = R14\,040 \]
9. VALUATION

After due consideration of the comparable sales listed, the condition, size and location of the subject property, as well as the current market conditions, a valuation of R14 000.00 (Fourteen Thousand Rand Only) is considered market related for the portion of the servitude.

CURRENT MARKET VALUE OF SUBJECT PROPERTY:

R14 000.00  
(Fourteen Thousand Rand Only)

10. CONDITIONS AND RECOMMENDATIONS

The value as reflected in this report does not include any improvements and is for the land component of the subject property only.

DECLARATION

After taking due consideration of all the relevant factors I, Corné Theron, in my capacity as a Professional Valuer consider the above valuation to be a true reflection and a fair assessment of the subject property’s market value as at the date of valuation.

________________________
E C Theron
Professional Valuer (South Africa)
SACPVP Reg. No.: 6831/4

DATE 07 April 2020

Property Valuation Experts
APPENDIX A: INSTRUCTION

Please save water REDUCE REUSE REIMAGINE
Level 1 Water Restrictions apply

Hi,
Just thought I would share a UK landscaping project that I was involved in.

One among many in the UK residential sector.

1. Valuation for the alteration of a portion of the garden (1536 sqm). The application is for land only. The applicant, owner of EF 10930, wants to buy the portion of the garden for which this project is being undertaken.

2. Valuation for the alteration of a portion of the garden (1536 sqm). The application is for land only. The applicant, owner of EF 10930, wants to buy the portion of the garden for which this project is being undertaken.

3. Valuation for the alteration of a portion of the garden (1536 sqm). The application is for land only. The applicant, owner of EF 10930, wants to buy the portion of the garden for which this project is being undertaken.

4. Valuation for the alteration of a portion of the garden (1536 sqm). The application is for land only. The applicant, owner of EF 10930, wants to buy the portion of the garden for which this project is being undertaken.

I also obliged two site visits to date and did not receive any feedback.

Thank you,

[Signature]

[Address]

[Email]

Property Valuation Experts

- 10 -
CAVEATS

1. FULL DISCLOSURE

This valuation has been prepared on the basis that full disclosure of all information and factors that could affect the valuation ('all relevant factors') have been made to us. We accept no liability or responsibility whatsoever for the valuation if it should transpire that a full disclosure of all relevant factors was not made.

2. THIRD PARTY INVOLVEMENT

Where reliance was placed on information supplied by third parties in undertaking the evaluation, we have assumed such information to be substantially correct. We accept no liability or responsibility whatsoever for the valuation if it should transpire that the information supplied was substantially incorrect.

3. VALUATION STANDARD

This valuation has been prepared in accordance with the International Valuation Standards Committee requirements as adopted by the South African Council for the Property Valuers Profession and the South African Institute of Valuers.

4. FREEHOLD PROPERTY

In the case of freehold properties we have inspected the relevant Title Deed documents when available. Whenever perusal of the Title Deed caused concern, we made specific reference to this in the Valuation Report. Where the Title Deeds were not available we have assumed that good title can be shown and that the property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings.

5. MORTGAGE BONDS, LOANS OR OTHER CHARGES

The property has been valued as if wholly owned with no allowance made for any outstanding monies due in respect of mortgage bonds, loans or other charges. No deductions have been made in our valuation for the cost of acquisition, such as legal or transfer fees, or the costs involved in the disposal of the assets.

6. CALCULATION OF AREAS

Where the client (or his/her representative) has provided all surface areas quoted within the Valuation Report, we assume such surface areas have been calculated in accordance with the SAPOA standard method of measurement. Where a valuer on site measures the surface areas, the SAPOA standard method of measurement shall be employed.

7. PLANS

All plans included in the Valuation Report are supplied for the purpose of identification and orientation only and are not necessarily to scale.
8. PROPERTY BOUNDARIES

The far or property boundaries, as indicated to the Valuer by the instructing client or his appointed agent, or the boundaries as indicated by plans supplied by the client, are assumed to be the legal extent of the property. Any variation of these boundaries by extension or omission, and the resultant inclusion or omission of any improvements because of this or these variations, cannot therefore be regarded as the responsibility of the Valuer. We accept no liability or responsibility whatsoever for the valuation should it transpire that any boundaries were incorrectly pointed out.

9. OUTGOINGS

It is assumed, except where otherwise stated, that the property is subject to the normal property owner’s outgoings and that there are no onerous restrictions or unusual covenants of which we have no knowledge. In preparing our valuation, we have formed our opinion of outgoings, having had reference to the various schedules of outgoings supplied by the client or a representative thereof.

10. STRUCTURAL CONDITION

The property has been valued in its existing state. In the event of its ownership or use changing in such a manner that the local authority will require the upgrading of the premises to comply with fire protection and other regulations, it may be necessary to reduce the valuation by the amount covering the cost of such compliance. We have had regard to the apparent state and condition of the property but have not carried out a structural survey, nor inspected those areas, which were covered, unexposed or inaccessible, neither have we arranged for the testing of electrical, heating or other services. The valuation assumes that the services and structures are in a satisfactory state of repair and condition, unless otherwise stated in our report. The valuation further assumes that the improvements have been erected in accordance with the relevant Building and Town Planning Regulations as well as the Local Authority by-laws. We have not inspected woodwork or other parts of the structure, and we are therefore unable to report that such parts of the property are free from rot, beetle or other defects. We have assumed that no deleterious or hazardous materials or techniques were used in the construction of the property nor have since been incorporated.

11. CONTAMINATION

Our valuation assumes that a formal environmental assessment is not provided and further that the property is not environmentally impaired nor contaminated, unless otherwise stated in our report.

12. VACANT LAND

No soil or substratum tests on the property have been undertaken and it is assumed that the property is suitable for the intended purpose, without having to provide excessive reinforcement to any structure built thereon.
13. STATUTORY NOTICE AND UNLAWFUL USE

We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

14. INDIVIDUAL PROPERTIES

The values reported are for the individual properties. No allowance is made for any premium, which may be applicable for an assembled portfolio of properties, nor is a discount allowed for any flooding of the market, which might exist if all, or a majority of the properties were offered for sale simultaneously.

15. CONFIDENTIALITY

This valuation is produced exclusively for the client and for the specific purposes to which it refers. It may be disclosed to other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

16. NON-PUBLICATION

Neither the whole nor any part of this valuation report or certificate, nor any reference thereto, may be included in any published document, circular or statement, nor published in any way without the written approval of the Valuer, as to the form or context in which it may appear and acknowledgement that the Valuer are professional valuers.

17. INDEPENDENT VALUERS CLAUSE

Neither the Valuer, nor any employee, have any present or contemplated interest in this or any other properties or any other interests, which could affect the statements or values, contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis by a valuer employed the Valuer, a company which specializes in valuation and which does not trade in these assets.

18. VALUE ADDED TAX

All figures quoted are exclusive of Value Added Tax.

Property Valuation Experts
Electrifying end to Oakhill’s season

Brian Under

In the last match of their season, Oakhill College’s 1st cricket team had their run chase target of 96 hit with ease and the win enough for a fifth straight victory in the varsity section. The target was raised to 96 in the 2nd innings, and after a steady start, using 2 quick wickets but the bounder brother, Ryan...

Rogan Steyn and Luke McCarthy start and midwicketed the bowlers. Steyn missed the step to make the sides with 96 in 14 overs and a powerful throw but the bowler brother, Ryan...
ATTENTION: RENWILL HARDNICK
E-MAIL: rhardnick@knysna.gov.za

Dear Sir

PURCHASE FROM KNYSNA MUNICIPALITY OF SERVITUDE ROAD ALONGSIDE ERF 13066, KNYSNA, BY THE RIVER HOUSE TRUST (AGRICULTURAL SMALLHOLDING)

We represent The River House Trust duly authorized thereto by Michael Sturrock in his capacity as trustee.

Our client is interested in purchasing from Council that section of the servitude road marked “Servitude A” on the attached map obtained from you, which lies alongside his property, Erf 13066, Knysna. This has remained unused ever since it was created in favour of the general public in 1949 in terms of Notarial Deed No. K367/1949S and because of the terrain, will never be used.
This was replaced by a more accessible alternative servitude road first registered in 1992 under No. K201/1992S and replaced in 2015 by No. K892/2015S, over our client’s property and Erf 13067 in favour of the owners of erven 205, 206, 7600, 208, 209, 197, 198, 199, 200 and 7847. The owners of all the aforementioned properties have formed a Homeowners Association called the Knysna River Road Residents Association ("KRRRA"), who are not opposed to the purchase.

All of the above erven are situated between the Knysna River and a steep hill, with all of them backing onto this hill. Servitude A would have run straight up to the top of this impossibly steep hill and presumably joined up with another servitude road on the other side, which was never created. In other words "Servitude A" does not lead anywhere and is basically a useless appendage.

Erf 7296 on the other side of the hill is a very large undeveloped erf, which means that is open to vagrants who in turn have access to Servitude “A”. Because the servitude area is unfenced, it creates a walkway for these vagrants onto KRRRA ground, a potentially dangerous situation.

Servitude “A” is basically unusable for any purpose whatsoever except to extend our clients boundary so that he can put up a fence on the perimeter. The top half of it is a steep incline and the bottom half is a marshy ravine where water seeps out of the hill. In fact there is a weir across it through which the road passes to allow for vehicular traffic.

From the scale provided on the enclosed map, Servitude A appears to be approximately 90m x 12m i.e. 1080m². Our client is prepared to pay R25.00 per square metre for the land and accordingly offers the sum of R270,000.00 [TWO HUNDRED AND SEVENTY THOUSAND RAND] to Council.
We shall be quite happy to provide you with copies of the relevant deeds (x2) relating to the original Servitude of Right of Way in favour of the General public (which includes the piece our client wishes to purchase) and the alternative servitude, should you so require.

Kindly consider the above proposal and revert to us with your response as soon as possible.

Yours Faithfully,

MOSDELL, PAMA & COX
PER: ED HARRIS
REPORT FROM ACTING MUNICIPAL MANAGER

PURPOSE OF THE REPORT

To report back to the Municipal Council on the application for a lease agreement for a portion of Erf 2252, (Hornlee) Knysna in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

BACKGROUND

We have received an application from Mr. Julian Williams, the owner of 702 Harker Street (Hornlee), Knysna, who has applied to lease a portion of Erf 2252, Knysna from the Municipality (See Annexure A). The applicant wants to make use of the property in question for purpose of a nursery.

PREVIOUS RESOLUTIONS

This matter served before the Municipal Council and a resolution was taken on the 29th of August 2019 that the Municipal Manager advertise the intended leasing of a portion of Erf 2252, (Hornlee) Knysna. See Council resolution below:

**CM20/08/19 APPLICATION FOR A LEASE AGREEMENT FOR A PORTION OF ERF 2252, (HORNLEE) KNYSNA**

**UNANIMOUSLY RESOLVED**

[a] That the report and annexure regarding the request for a lease agreement on a portion of Erf 2252, (Hornlee) Knysna by the applicant, be noted;

[b] That a site visit for the Mayoral Committee members and any other interested Councillors be arranged before the Ordinary Council meeting to be held on 29 August 2019;

[c] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager be instructed to appoint the Municipal Valuer, DDP Valuers to determine the fair market rental value of a portion of Erf 2252, (Hornlee) Knysna;

[d] That the Municipal Manager be instructed to advertise the intended leasing of a portion of Erf 2252, (Hornlee) Knysna as a nursery, and

[e] That comments be obtained from the Planning and Development, Technical and Community Services Directorates; and
That a further report be submitted to a following Governance and Economic Development Committee meeting after the advertising as mentioned in [d] above have been completed, which report must include comments from the Technical Services, Finance, Community Services and Planning and Development Directorates.

File Number: 7/2/2/1
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

As per the above mentioned Municipal Council Resolution, the following have been done:

a) A site visit arranged and conducted on the 28th of August 2019;
b) The Municipal Valuer, DDP Valuers provided market related rental value (See Annexure B);
c) The intended leasing of a portion of Erf 2252, (Hornlee), Knysna advertised on 10 October 2019 (See Annexure C); and

d) Comments requested from the Technical Services, Finance, Community Services and Planning and Development Directorates.

No comments or objections was received from the advertisement placed.

The Director Planning & Economic Development commented as follow:

“The lease of the portion of land may require a land use application for the utilisation to be enabled. Furthermore, should this lease be allowed, the utilisation will be subject to conditions that no listed species may be propagated on the portion and that the lessor will be responsible for keeping the area clear of alien invasive plant species. Listed species can be found on the [http://www.invasives.org.za/index.php](http://www.invasives.org.za/index.php) website where alternatives are recommended should the lessee wish to grow similar species.”

**DISCUSSION**

Section 34 of the Asset Transfer Regulations 2008, deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

> **Granting of rights to use, control or manage municipal capital assets**

34. *(1)* A municipality may grant a right to use, control or manage a capital asset only after—

*(a)* the accounting officer has in terms of regulation 35 conducted a public participation process regarding the proposed granting of the right; and

*(b)* The municipal council has approved in principle that the right may be granted.

*(2)* Subregulation (1) *(a)* must be complied with only if—

*(a)* the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and

*(b)* a long term right is proposed to be granted in respect of the capital asset.

*(3)* *(a)* Only the Municipal council may authorise the public participation process referred to in subregulation *(1)(a).*

*(b)* A request to the municipal council for authorisation of a public participation process must be accompanied by an information statement stating—
(i) the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;
(ii) any expected benefits to the municipality that may result from the granting of the right;
(iii) any expected proceeds to be received by the municipality from the granting of the right; and
(iv) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.”

Erf 2252, Knysna is valued at R 900 000.00 in terms of the Knysna Local Municipality Valuation roll for the period 1 July 2017 – 30 June 2022. The area identified is thus not valued more than R10 million. The Asset Transfer Regulations describes “a long term” as “a period of longer than three years”. A public participation process regarding the proposed granting of the right is not required. It is however proposed that the Municipal Council’s intention to lease a portion of Erf 2252, Knysna to Mr. Julian Williams for a period of 9 years with the option to renew the lease for a further period of 5 years be advertised for public comments and or objections.

“Consideration of proposals to grant rights to use, control or manage municipal capital assets
36. The municipal council must, when considering in terms of regulation 34(1)(b) approval for any proposed granting of a right to use, control or manage a capital asset, take into account –
(a) whether the capital asset may be required for the municipality’s own use during the period for which the rights is to be granted;
(b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;
(c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality’s interests;
(d) any comments or representations on the proposed granting of the right received from the local community and other interested persons;
(e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury;
(f) the interests of any affected organ of state, the municipality’s own strategic, legal and economic interests and the interests of the local community; and
(g) compliance with legislative regime applicable to the proposed granting of the right.”

As mentioned in the application, the property in question is currently being used by the applicant after he decided to make use of the property about 4 years ago.

A monthly rental, to be determined by the Municipal Valuer, DDP Valuers, will be received by the Municipality for the leasing of the property in question. The applicant intends to create a nursery.

No comments or representations from the local community and other interested persons was received during the advertising process.

No written views and recommendations was requested from National Treasury and the relevant provincial treasury during the advertising process.

No organ of state to be affected, nor the municipality’s own strategic, legal and economic interests or the local community.
The application was previously tabled and is again tabled before the Municipal Council for an approval that the right be granted and that all relevant legislation be complied with.

"40. Disposal management

(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;

(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset

(3) The Accounting Officer must ensure that
   (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
   (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
   (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
   (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
   (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
   (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
   (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment."

The leasing of the property involved should be done at a monthly market related rate to be determined by a professional valuer. The applicant/lessee should be responsible for the payment of all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of the property involved as reviewed annually by the Municipal Council.

Section 45 of the Asset Transfer Regulations 2008, that deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

Agreements granting of rights to use, control or manage municipal capital assets

45. (1) A municipality or municipal entity may grant a right to use, control or manage a capital asset to a private sector party or organ of state only by way of a written agreement concluded between the municipality or entity and the private sector party or organ of state to whom the right is granted.

(2) An agreement referred to in subregulation (1) must –
   (a) set out the terms and conditions on which the right is granted, including, as a minimum –
      (i) a sufficient description of the capital asset in respect of which the right is granted, in order to identify the asset;
      (ii) particulars of any subsidiary assets that are to be made available with the capital asset;
      (iii) the period for which the right is granted;
(iv) the amount of compensation payable to the municipality or municipal entity for granting of the right, and the terms and conditions of payment;

(v) requirements for the private sector party or organ of state to whom the right is granted to maintain and safeguard the asset for its intended purpose, taking into account the condition of the asset and its estimated remaining life at the date of granting of the right;

(vi) where the asset is to be used by the municipality or municipal entity and the public sector party or organ of state to whom the right is granted, the basis of how the asset is to be shared as well as how the costs and benefits of the shared asset will be apportioned between the parties;

(vii) the extent to which the public sector party or organ state to whom the right is granted will be required to make improvements or enhancements to the asset, and the terms and conditions regulating such improvements or enhancements;

(viii) a statement to the effect that the risk and accountability for the asset is transferred to the public sector party or organ of state to whom the right is granted;

(ix) the effective date from which the risk and accountability for the asset is transferred; and

(x) a clause disallowing the private sector party or organ of state to whom the right is granted from ceding or subcontracting the right to another person; and

(b) be signed on behalf of the municipality or municipal entity and the private sector party or organ of state to whom the right is granted.

(3) If a long term right to a capital asset with a value in excess of R10 million is granted following the selection of a service provider for the performance of a municipal service referred to in regulation 41(2)(a) or for the performance of a commercial service referred to in regulation 41(2)(b), the agreement referred to in subregulation (1) –

(a) must contain provision for –

(i) contract termination in the case of non- or underperformance;

(ii) dispute resolution mechanisms to settle disputes between the parties; and

(iii) a periodic review of the agreement once every three years, in the case of an agreement for longer than three years; and

(a) may be incorporated into any service delivery agreement or procurement contract to be concluded with the service provider.

A written lease agreement complying with Section 45 of the Asset Transfer Regulations 2008 must be entered into by and between the applicant and Knysna Municipality.

The property in question does not have a value in excess of R10 million, so there is no need to comply with Section 45(3) of the Asset Transfer Regulations 2008.

FINANCIAL IMPLICATIONS

There will be no negative financial impact on Knysna Municipality as the applicant will be liable for establishing a nursery on a portion of Erf 2252, Knysna. All other incidental costs will be for the account of the applicant. The Municipal Valuer, DDP Valuers, should be appointed to determine a market related rental.
RELEVANT LEGISLATION
Local Government: Municipal Finance Management Act, 2003
Asset Transfer Regulations 2008
Knysna Municipality’s Management of Immovable Property Policy

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
For consideration by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
The lease of the portion of land may require a land use application for the utilisation to be enabled. Furthermore, should this lease be allowed, the utilisation will be subject to conditions that no listed species may be propagated on the portion and that the lessor will be responsible for keeping the area clear of alien invasive plant species. Listed species can be found on the http://wwwinvasives.org.za/index.php website where alternatives are recommended should the lessee wish to grow similar species.

COMMENTS FROM LEGAL SERVICES
Recommendations are supported the legal implications will stem from the council resolution and agreements entered into.

COMMENTS FROM IHS
Need to determine whether the property has potential for housing

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER
[a] That the report back on the application to lease a portion of Erf 2252, (Hornlee) Knysna, be noted;

[b] That it be noted that the intended leasing of a portion of Erf 2252, (Hornlee) Knysna was advertised for public comment/and/or objections;

[c] That it be noted no comments/objections was received during the public participation process;

[d] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Valuer, DDP Valuers determined the fair market rental value of a portion of Erf 2252, (Hornlee) Knysna to be R800 per month;
[e] That approval be granted in terms of Section 34(1)(b) of the Asset Transfer Regulations for the right to use, control or manage a portion of Erf 2252, (Hornlee) Knysna for a period of 5 years;

[f] That the applicant be informed that the activities to take place and taking place on a portion of Erf 2252, (Hornlee) Knysna should comply with all land uses for the property in question;

[g] That the applicant be informed that no listed plant species may be propagated on the leased area and that the applicant will be responsible for keeping the area clear of alien invasive plant species;

[h] That the applicant be informed that he will be solely responsible for all costs for the establishing and maintenance of a garden on a portion of Erf 2252, (Hornlee) Knysna;

[i] That the applicant be responsible for all other costs relating to the leasing of a portion of Erf 2252, (Hornlee) Knysna;

[j] That the leased area should only be used for gardening purposes;

[k] That the monthly rental for a portion of Erf 2252, (Hornlee) Knysna be R800.00 per month with an annual escalation of 7%;

[l] That the Municipal Manager enters into a long term lease agreement with the applicant for a portion of Erf 2252, (Hornlee) Knysna, for a period of 5 years; and

[m] That the lease agreement must be in terms of Section 45 of the Asset Transfer Regulations.

ANNEXURE

ANNEXURE A - Application letter from Mr. Julian Williams

ANNEXURE B - Market Related Valuation from DDP Valuers

ANNEXURE C - Advertisement

File Number : 7/2/2/1
Execution : Municipal Manager
Director Corporate Services
Manager: Legal Services
Valuation Report

PROPERTY: A Proposed Portion of Erf 2252 Knysna

REFERENCE No: DDPMUN2116

REPORT No: 01

DATE: 21 November 2019

Report prepared by: Corné Theron
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1. CONTACT DETAILS

<table>
<thead>
<tr>
<th>Name</th>
<th>Comé Theron</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Valuer</td>
</tr>
<tr>
<td>Organisation</td>
<td>DDP Values (Pty) Ltd</td>
</tr>
<tr>
<td>Address</td>
<td>Menlyn Square Office Park, 1st Floor, East Block, 134 Aramist Avenue, Menlyn, Pretoria 0081</td>
</tr>
<tr>
<td>Phone</td>
<td>+27 (12) 369 9100</td>
</tr>
<tr>
<td>Fax</td>
<td>+27 (12) 86 669 1817</td>
</tr>
<tr>
<td>Mobile</td>
<td>+27 (82) 459 5401</td>
</tr>
<tr>
<td>Email</td>
<td>comé<a href="mailto:.theron@ddp.co.za">.theron@ddp.co.za</a></td>
</tr>
<tr>
<td>Website</td>
<td><a href="http://www.ddp.co.za">www.ddp.co.za</a></td>
</tr>
</tbody>
</table>

2. SUMMARY OF KEY FACTS

<table>
<thead>
<tr>
<th>Subject Property</th>
<th>An unregistered portion Erf 2252 Knysna</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type</td>
<td>Vacant</td>
</tr>
<tr>
<td>Effective Date Of Valuation</td>
<td>20 November 2019</td>
</tr>
<tr>
<td>Method Of Valuation</td>
<td>Comparable Sales Method</td>
</tr>
<tr>
<td>Report Number</td>
<td>01</td>
</tr>
<tr>
<td>DDP Reference Number</td>
<td>DDPMUN2116</td>
</tr>
<tr>
<td>Instructing Party</td>
<td>Renwill Hardnick, Knysna Local Municipality</td>
</tr>
<tr>
<td>Instructing Party Reference</td>
<td>N/A</td>
</tr>
<tr>
<td>Erf Extent</td>
<td>1 487 m²</td>
</tr>
</tbody>
</table>

3. INTRODUCTION

3.1. INSTRUCTION

DDP Valuers was instructed by Knysna Local Municipality as represented by Mr Renwill Hardnick to determine the market value of the subject property as described in this report.

3.2. PURPOSE OF VALUATION

The purpose of this valuation report is to determine the fair market value and market rental of the subject property as at the date of valuation.

3.3. METHOD OF VALUATION

The Sales Comparison Approach to value compares the subject property to similar properties that have sold under similar market conditions. The value indicated is established by comparing the subject property with similar properties, called comparable sales. Comparable sales are recent property transactions of property that were sold in accordance with the definition of market value.
The International Valuation Standards 2007 defines the sales comparison method as: "The comparative approach considers the sales of similar or substitute properties and related market data, and establishes value estimated by processes involving comparison. In general, a property being valued (subject property) is compared with sales of similar properties that have been transacted in the market."

3.4. METHOD OF RENTAL DETERMINATION

Ground Rental Determination Method

Traditionally, in most countries, Valuers assess ground rentals by applying a "ground rental rate" or percentage per annum to the property's land value at the beginning of the review or renewal term.

Capitalisation Method

The net normalised income of the property is determined based on the assumption that the property is fully let at open market rentals, market escalation applies and incurs market related operating cost. The net normalised income is then capitalised into perpetuity using a market related capitalisation rate to reflect the open market value.

3.5. DEFINITIONS

Market Value: The estimated amount for which a property (asset) should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-lengths transaction after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion.

Rental Value: The amount of money a property would rent or lease for on the date of valuation for the right to occupy such a property, allowing for the scarcity of that kind of property and the willingness of tenants to pay. It is the amount that would be paid for rental of a similar property in the same condition and in the same area.

3.6. EFFECTIVE DATE OF VALUATION

21 November 2019

3.7. INFORMATION SOURCES

Deeds Office Cape Town
Chief Surveyor General
Local Authority – Knysna Local Municipality
Lightstone Property Transfers

4. DESCRIPTION OF IMPROVEMENTS

As per instruction from the client, this valuation excludes all improvements and only reflects a value allocated to the land portion of the subject property.

This valuation excludes any improvements and reflects land value only.
5. LOCATION

5.1. LOCATION

The subject property is comprising of a rectangular shaped portion situated in the north-eastern parts of Hornlee opposite erf 5524 Knysna in Charlie Levack Street.

Figure 1 Micro location
5.2. SITE DESCRIPTION

The subject property is comprising of a rectangular shaped portion and offers a fairly level elevation profile.
6. MARKET COMMENTARY

The most accurate method to determine an appropriate rate is through evidence produced by actual market transactions. This information is not always readily available, as there is an encumbrance of confidentiality of transactions, corporate transfers and lack of access which hamper the comparison process.

There were 22 registered property sales found for the Hornlee area that occurred from 01 January 2018 to date. There are only one vacant land sale that can be utilised to determine a rate for the subject portion:

Comparative sale 1:

<table>
<thead>
<tr>
<th>Property Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type:</td>
</tr>
<tr>
<td>Province:</td>
</tr>
<tr>
<td>Township:</td>
</tr>
<tr>
<td>Portion #:</td>
</tr>
<tr>
<td>Suburb:</td>
</tr>
<tr>
<td>Street #:</td>
</tr>
<tr>
<td>Last Sales Date:</td>
</tr>
<tr>
<td>Land Size (Registered):</td>
</tr>
<tr>
<td>Land Size (Castral):</td>
</tr>
<tr>
<td>Plot Size Under Roof:</td>
</tr>
<tr>
<td>Legal Description:</td>
</tr>
<tr>
<td>Municipality:</td>
</tr>
<tr>
<td>Ext #:</td>
</tr>
<tr>
<td>Street:</td>
</tr>
<tr>
<td>Last Sales Price:</td>
</tr>
<tr>
<td>Coordinates (Lat,Long):</td>
</tr>
<tr>
<td>SIB Code:</td>
</tr>
</tbody>
</table>

Selling rate = R330.25/m²
Historical comparable sales in the macro area investigated include:

**Comparable sale 2:**

<table>
<thead>
<tr>
<th>Property Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type:</td>
</tr>
<tr>
<td>Province:</td>
</tr>
<tr>
<td>Township:</td>
</tr>
<tr>
<td>Portion #:</td>
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<tr>
<td>Suburb:</td>
</tr>
<tr>
<td>Street #:</td>
</tr>
<tr>
<td>Last Sales Date:</td>
</tr>
<tr>
<td>Land Size (Registered):</td>
</tr>
<tr>
<td>Land Size (Cubed):</td>
</tr>
<tr>
<td>Estimate Size Under Roof:</td>
</tr>
<tr>
<td>Legal Description:</td>
</tr>
<tr>
<td>Municipality:</td>
</tr>
<tr>
<td>EIR #:</td>
</tr>
<tr>
<td>Street:</td>
</tr>
<tr>
<td>Last Sales Price:</td>
</tr>
<tr>
<td>Coordinates (Lat,Long):</td>
</tr>
<tr>
<td>Site Code:</td>
</tr>
</tbody>
</table>

Selling rate = R211.76/m²

**Comparable sale 3:**

<table>
<thead>
<tr>
<th>Property Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type:</td>
</tr>
<tr>
<td>Province:</td>
</tr>
<tr>
<td>Township:</td>
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<tr>
<td>Portion #:</td>
</tr>
<tr>
<td>Suburb:</td>
</tr>
<tr>
<td>Street #:</td>
</tr>
<tr>
<td>Last Sales Date:</td>
</tr>
<tr>
<td>Land Size (Registered):</td>
</tr>
<tr>
<td>Land Size (Cubed):</td>
</tr>
<tr>
<td>Estimate Size Under Roof:</td>
</tr>
<tr>
<td>Legal Description:</td>
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<tr>
<td>Municipality:</td>
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<tr>
<td>EIR #:</td>
</tr>
<tr>
<td>Street:</td>
</tr>
<tr>
<td>Last Sales Price:</td>
</tr>
<tr>
<td>Coordinates (Lat,Long):</td>
</tr>
<tr>
<td>Site Code:</td>
</tr>
</tbody>
</table>

Selling rate = R689.81/m²

Indicated rates:

Comparable sale 1 = R330.25/m² - 757m²
Comparable sale 2 = R211.76/m² - 425m²
Comparable sale 3 = R689.81/m² - 432m²

Average selling rate: R410.00
7. **MOTIVATION**

For the purpose of this valuation the following will be considered in determining a market related rate for the subject properties:

- The location of the comparable sales compared to the location of the subject property;
- The typography, size, shape and accessibility of comparable sales compared to those offered by the subject property;
- The availability of municipal services;
- The intended use of the subject property as a garden;
- The security risk posed by the remainder of the communal ground on all boundaries of the subject property.
- The availability of infrastructure in the direct vicinity;
- The subject property is an unregistered portion that forms part of the Knysna communal grounds and does not offer its own title deed or zoning;
- The availability of parking at the subject property and the comparable sales;
- The low number of registered property sales transactions in the micro area for the past three years; and
- The subject portion is most comparable to comparable sale one as listed given location and size.

8. **CONCLUSION**

The comparable sales as listed indicates a forecast regression line rate of R252.10 for properties offering a land size of 1 487m². Given the above, a negative adjustment will be required for location, availability of services, security risk, registration status, zoning, supply and demand etc. Therefore a further 70% deduction will be applied.

**CALCULATION:**

\[1,487 \text{m}^2 \times \text{R75/m}^2 = \text{R111 525}\]

9. **VALUATION**

After due consideration of the comparable sales listed, the condition, size and location of the subject property, as well as the current market conditions, a valuation of R100 000.00 (One Hundred Thousand Rand Only) is considered market related.
10. RENTAL DETERMINATION

Ground Rental Determination Method

Traditionally, in most countries, valuers assess ground rentals by applying a “ground rental rate” or percentage per annum to the property’s value at the beginning of the review or renewal term. It follows that once the appropriate land value (LV) and annual ground rental rate (GR%) is determined the ground rental (GR) can be calculated as:

\[ \text{Ground Rental} = \text{Market Value x Ground Rental Rate} \text{ (or: } GR = MV \times GR\%) \]

<table>
<thead>
<tr>
<th>Property</th>
<th>Market value (MV)</th>
<th>GR %</th>
<th>GR per annum</th>
<th>GR per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>R100 000</td>
<td>10%</td>
<td>R10000/annum</td>
<td>R833.33/month</td>
</tr>
</tbody>
</table>

This method indicates a ground rental of R833.33/month.

Capitalisation Method

As a cross reference a Capitalisation Method will in addition be utilised. This method is based on the traditional formulae of:

\[ V = \frac{NI}{i} \]

<table>
<thead>
<tr>
<th>Property</th>
<th>Market value(V)</th>
<th>GR %</th>
<th>GR per annum</th>
<th>GR per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>R100 000</td>
<td>14%</td>
<td>R14000/annum</td>
<td>R1166.66/month</td>
</tr>
</tbody>
</table>

This method indicates a rental of R1 166.66/month.

When considering the market rental rate to apply, various value forming attributes and other factors must be considered including the following:

- Location of the subject property as well as property use and the nature of the micro area;
- Restricted use of the subject property;
- The size, elevation profile and shape of the property;
- The current zoning of the subject property;
- A higher capitalisation rate should be applicable to the rental of the property given the risk factors; and
- The relation between supply of, and demand for, similar rental properties.
As per above calculations, a rental rate of between R833/month and R1 166/month is market related. After considering all the above factors, as well as the existing and intended use of the property as a garden, the ground rental method of determining market rentals is deemed to be the most accurate method.

11. MARKET RENTAL ESCALATION

The projected market escalation rates are based on previous research conducted on the following types of properties:

- Billboards Rental Determinations
- Cell phone Mast Rental Determinations
- Land Rental Determinations
- Farm Land Rental Determinations
- Various Commercial Buildings

The annual market escalation rate should also consider general CPI inflation and this rate generally range between 5% and 6.5%. The SAR’s inflation outlook deteriorated slightly to 5.2% in 2013 from an expectation of 5.1% previously. The bank targets a headline inflation rate of 3%-6%. Food and petrol prices posed the main risk to its inflation forecast. Inflation slowed to 5% in August, ticking up slightly from a 14-month low of 4.9% in July.

The duration and type of the lease agreement will impact the proposed escalation rate i.e. if the lease agreement is a long term lease agreement this could contribute to a lower rental amount and vice versa. From the research conducted market rate escalation range between 5% and 10%.

12. CONCLUSION

12.1. MARKET RENTAL:

As per the capitalization method of rental determination, a rental of

\[ \text{R800.00 per month} \]
\[ \text{(Eight Hundred Rand per month)} \]

is deemed market related for the subject property.

12.2. MARKET RENTAL ESCALATION:

An average escalation of 7% \textbf{per annum} is considered market related.
13. CONDITIONS AND RECOMMENDATIONS

The value as reflected in this report does not include any improvements and is for the land component of the subject property only.

DECLARATION

After taking due consideration of all the relevant factors I, Corné Theron, in my capacity as a Professional Valuer consider the above valuation to be a true reflection and a fair assessment of the subject property's market value as at the date of valuation.

E C THERON
Professional Valuer (South Africa)
SACPVP Reg. No.: 6831/4

DATE 21 November 2019
Hi,

Attached here is the information as required.

The valuations needed is for the following:

- Portion of Erf 214, Knysna - ±320 m². The application is for land only. The applicant is building a building to be used as a Titanic Eleven.
- A portion of a portion of Erf 148, Knysna - ±3370 m². The applicant want to build a 127m² house and build a dwelling on a portion of the purchased portion. Not for a residential use. The applicant wants to use access to a portion of their land.
- Portion of Erf 212, Knysna - ±3670 m². The application is for land only. The applicant wants to use the land for parking.
- Portion of Erf 2752, Sedgefield - ±1500 m². The application is for land only. The applicant want to start cultivating food & medicinal crops on a portion of Erf 2460, Sedgefield.

We need five more valuations. Will it be possible for you to squeeze those in as well since you are here?

Thanks,

Renwick Hardnick  Administrative Officer Properties
P.O. Box 24, Knysna, 6570 Western Cape, South Africa
Tel: +27 (0)44 382 2200 (switchboard) or X0 0400 (direct)
Fax: +27 (0)44 382 2201 or email: hardnick@knysna.gov.za
CAVEATS

1. FULL DISCLOSURE

This valuation has been prepared on the basis that full disclosure of all information and factors that could affect the valuation (‘all relevant factors’) have been made to us. We accept no liability or responsibility whatsoever for the valuation if it should transpire that a full disclosure of all relevant factors was not made.

2. THIRD PARTY INVOLVEMENT

Where reliance was placed on information supplied by third parties in undertaking the evaluation, we have assumed such information to be substantially correct. We accept no liability or responsibility whatsoever for the valuation if it should transpire that the information supplied was substantially incorrect.

3. VALUATION STANDARD

This valuation has been prepared in accordance with the International Valuation Standards Committee requirements as adopted by the South African Council for the Property Valuers Profession and the South African Institute of Valuers.

4. FREEHOLD PROPERTY

In the case of freehold properties we have inspected the relevant Title Deed documents when available. Whenever perusal of the Title Deed caused concern, we made specific reference to this in the Valuation Report. Where the Title Deeds were not available we have assumed that good title can be shown and that the property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings.

5. MORTGAGE BONDS, LOANS OR OTHER CHARGES

The property has been valued as if wholly owned with no allowance made for any outstanding monies due in respect of mortgage bonds, loans or other charges. No deductions have been made in our valuation for the cost of acquisition, such as legal or transfer fees, or the costs involved in the disposal of the assets.

6. CALCULATION OF AREAS

Where the client (or his/her representative) has provided all surface areas quoted within the Valuation Report, we assume such surface areas have been calculated in accordance with the SAPOA standard method of measurement. Where a valuer on site measures the surface areas, the SAPOA standard method of measurement shall be employed.

7. PLANS

All plans included in the Valuation Report are supplied for the purpose of identification and orientation only and are not necessarily to scale.
8. PROPERTY BOUNDARIES

The farm or property boundaries, as indicated to the Valuer by the instructing client or his appointed agent, or the boundaries as indicated by plans supplied by the client, are assumed to be the legal extent of the property. Any variation of these boundaries by extension or omission, and the resultant inclusion or omission of any improvements because of this or these variations, cannot therefore be regarded as the responsibility of the Valuer. We accept no liability or responsibility whatsoever for the valuation should it transpire that any boundaries were incorrectly pointed out.

9. OUTGOINGS

It is assumed, except where otherwise stated, that the property is subject to the normal property owner's outgoings and that there are no onerous restrictions or unusual covenants of which we have no knowledge. In preparing our valuation, we have formed our opinion of outgoings, having had reference to the various schedules of outgoings supplied by the client or a representative thereof.

10. STRUCTURAL CONDITION

The property has been valued in its existing state. In the event of its ownership or use changing in such a manner that the local authority will require the upgrading of the premises to comply with fire protection and other regulations, it may be necessary to reduce the valuation by the amount covering the cost of such compliance. We have had regard to the apparent state and condition of the property but have not carried out a structural survey, nor inspected those areas, which were covered, unexposed or inaccessible, neither have we arranged for the testing of electrical, heating or other services. The valuation assumes that the services and structures are in a satisfactory state of repair and condition, unless otherwise stated in our report. The valuation further assumes that the improvements have been erected in accordance with the relevant Building and Town Planning Regulations as well as the Local Authority by-laws. We have not inspected woodwork or other parts of the structure, and we are therefore unable to report that such parts of the property are free from rot, beetle or other defects. We have assumed that no deleterious or hazardous materials or techniques were used in the construction of the property nor have since been incorporated.

11. CONTAMINATION

Our valuation assumes that a formal environmental assessment is not provided and further that the property is not environmentally impaired nor contaminated, unless otherwise stated in our report.

12. VACANT LAND

No soil or substratum tests on the property have been undertaken and it is assumed that the property is suitable for the intended purpose, without having to provide excessive reinforcement to any structure built thereon.
13. **STATUTORY NOTICE AND UNLAWFUL USE**

We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

14. **INDIVIDUAL PROPERTIES**

The values reported are for the individual properties. No allowance is made for any premium, which may be applicable for an assembled portfolio of properties, nor is a discount allowed for any flooding of the market, which might exist if all, or a majority of the properties were offered for sale simultaneously.

15. **CONFIDENTIALITY**

This valuation is produced exclusively for the client and for the specific purposes to which it refers. It may be disclosed to other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

16. **NON-PUBLICATION**

Neither the whole nor any part of this valuation report or certificate, nor any reference thereto, may be included in any published document, circular or statement, nor published in any way without the written approval of the Valuer, as to the form or context in which it may appear and acknowledgement that the Valuer are professional valuers.

17. **INDEPENDENT VALUERS CLAUSE**

Neither the Valuer, nor any employee, have any present or contemplated interest in this or any other properties or any other interests, which could affect the statements or values, contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis by a valuer employed the Valuer, a company which specializes in valuation and which does not trade in these assets.

18. **VALUE ADDED TAX**

All figures quoted are exclusive of Value Added Tax.
ANNEXURE A

Colab No.: 

File No.: 722

Mnr. Julian Williams
702 Harker Str
Hornlee
Knysna

Die Municiple Bestuurder

Hiermee wil ek graag aansoek doen vir die Grond corr kant my klein gedeelte van ERF No 2252.

Waarvoor ek dit wil huur koop soos ingekleur op kaart.

Ek het so vyf en dertig jaar terug my woning konstant van die raad gekoop van ons.

Gemeenskap het dit misbruik en n storings terin daarvan gemaak. So drie jaar het ek dit begin skoonmaak bone en plante daar op geplant. So hou ek dit tot van dag toe instand as n natuur lief heber. Hou ek graag wil voort bou om ons groen erfenis in die Hornlee gebied voort te sit en terselfde tyd alle besoekers in die gebied te verwelkom met n groen en blomreike gesig.

My rede vir die aansoek is om n klein Nursery te begin te bedryf so ook ons gemeenskap aan te spoor om ons groen erfenis te waardeer.

Met die verandering van ons klimaat in die toekoms ek hoop dat u my versoek ernstig sal oorweeg en goedkeur.

Byvoorbeeld Dank

J. Williams

2018-05-07

[Signature]
REPORT FROM THE ACTING MUNICIPAL MANAGER

PURPOSE OF THE REPORT

To report back on the application to lease Erf 2461, Marigold Street, Sedgefield in terms of the Asset Transfer Regulations, 2008 for the cultivation of food and medicinal crops.

BACKGROUND

The applicant, Anika Hari together with Waldo Shafli and Juan Marais have applied to lease Erf 2461, Sedgefield to start cultivation of food and medicinal crops on the said Erf (see Annexure A).

PREVIOUS RESOLUTIONS

This matter served before the Municipal Council and a resolution was taken on the 29th of August 2019 that the Municipal Manager advertise the intended leasing of Erf 2461, Marigold Street, Sedgefield; See Council resolution below:

**CM21/08/19 APPLICATION FOR A LEASE AGREEMENT ON ERF 2461, MARIGOLD STREET, SEDGEFIELD FOR THE CULTIVATION OF FOOD AND MEDICINAL CROPS**

**UNANIMOUSLY RESOLVED**

[a] That the report and annexure regarding the request for permission to start cultivation of food and medicinal crops on Erf 2461, Marigold Street, Sedgefield by the applicant, be noted;

[b] That a site visit for the Mayoral Committee members and any other interested Councillors be arranged before the Ordinary Council meeting to be held on 29 August 2019;

[c] That the Municipal Manager be instructed to attend to the transferring of the property into the name of Knysna Municipality;

[d] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager be instructed to appoint the Municipal Valuer, DDP Valuers to determine the fair market rental value of Erf 2461, Marigold Street, Sedgefield;

[e] That the Municipal Manager be instructed to advertise the intended leasing of Erf 2461, Marigold Street, Sedgefield;
That comments from the Planning and Development, Technical Services and Community Services Directorates be obtained; and

That a further report be submitted to a following Governance and Economic Development Committee meeting after the advertising as mentioned in [e] above have been completed, which report must also include comments from the Technical Services, Finance, Community Services and Planning and Development Directorates.

File Number : 7/2/1/2
Execution : Municipal Manager
Director : Corporate Services
Manager : Legal Services

As per the above mentioned Municipal Council Resolution, the following have been done:

a) A site visit arranged and conducted on the 28th of August 2019;

b) The Municipal Valuer, DDP Valuers market related rental value to be R 2 500 per month (See Annexure B);

c) The intended leasing of Erf 2461, Marigold Street, Sedgefield advertised on 10 October 2019 (See Annexure C); and

d) Comments requested from the Technical Services, Finance, Community Services and Planning and Development Directorates.

No comments or objections was received from the advertisement placed.

No comments received from Directorates.

DISCUSSION

Section 34 of the Asset Transfer Regulations 2008, deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

“Granting of rights to use, control or manage municipal capital assets

34. (1) A municipality may grant a right to use, control or manage a capital asset only after –

(a) the accounting officer has in terms of regulation 35 conducted a public participation process regarding the proposed granting of the right; and

(b) The municipal council has approved in principle that the right may be granted.

(2) Subregulation (1) (a) must be complied with only if –

(a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and

(b) a long term right is proposed to be granted in respect of the capital asset.

(3) (a) Only the Municipal council may authorise the public participation process referred to in subregulation (1)(a).

(b) A request to the municipal council for authorisation of a public participation process must be accompanied by an information statement stating –

(i) the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;

(ii) any expected benefits to the municipality that may result from the granting of the right;
any expected proceeds to be received by the municipality from the granting of the right; and

(iv) any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right.”

Erf 2461 is valued at R20 000.00 in terms of the Knysna Local Municipality Valuation roll for the period 1 July 2017 – 30 June 2022. The area identified is thus not valued more than R10 million. The Asset Transfer Regulations describes “a long term” as “a period of longer than three years”. The applicant did not state for how long they intend to the lease the Erf. A public participation process regarding the proposed granting of the right is not required. It is however proposed that the Municipal Council’s intention to lease Erf 2461, Sedgefield to the applicants for a period of 9 years and 11 months be advertised for public comments and or objections.

Section 36 of the Asset Transfer Regulations 2008 deals with the consideration of proposals to grant rights to use, control or manage municipal capital assets and reads as follows: -

“The municipal council must, when considering in terms of regulation 34 (1) (b) approval for any proposed granting of a right to use, control or manage a capital asset, take into account-(a) whether the capital asset may be required for the municipality’s own use during the period for which the right is to be granted;
(b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;
(c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality’s interests;
(d) any comments or representations on the proposed granting of the right received from the local community and other interested persons;
(e) any written views and recommendations on the proposed granting of the right by National Treasury and the relevant provincial treasury;
(f) the interests of any affected organ of state, the municipality’s own strategic, legal and economic interests and the interests of the local community; and
(g) compliance with the legislative regime applicable to the proposed granting of the right.”

It is not anticipated that Erf 2461, Sedgefield will be required for the municipality’s own use during the period for which the right is to be granted. The property in question is vacant and has been unutilised by the Municipality for a considerable period of time. The subject property is situated in Marigold Street, Sedgefield (See Annexure D).

A monthly rental, to be determined by the Municipal Valuer, DDP Valuers, will be received by the Municipality for the leasing of the property in question.

No comments or representations from the local community and other interested persons received during the advertising process.

No written views and recommendations requested from National Treasury and the relevant provincial treasury during the advertising process.

No organ of state to be affected, nor the municipality’s own strategic, legal and economic interests or the local community.
The application was previously tabled and is again tabled before the Municipal Council for an approval that the right be granted and that all relevant legislation be complied with.

It must be noted that Erf 2461, Sedgefield is not registered in the name of Knysna Municipality. The Erf is still registered in the name of LANDJONG BELEGINGS PTY LTD under Title Deed T13832/1990 (See Annexure E). Erf 2461, Sedgefield is an open space. Erf 2461, Sedgefield, vests in the name of the Local Authority, Knysna Municipality. Mosdell, Pama & Cox was requested to start the process to transfer Erf 2461 into the name of Knysna Municipality.

40. Disposal management

(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;

(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset

(3) The Accounting Officer must ensure that –
   (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
   (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
   (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
   (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
   (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
   (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
   (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.

The leasing of the property involved should be done at a monthly market related rate to be determined by a professional valuer. The applicant/lessee should be responsible for the payment of all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of the property involved as reviewed annually by the Municipal Council.

Section 45 of the Asset Transfer Regulations 2008, that deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

Agreements granting of rights to use, control or manage municipal capital assets
45. (1) A municipality or municipal entity may grant a right to use, control or manage a capital asset to a private sector party or organ of state only by way of a written agreement concluded between the municipality or entity and the private sector party or organ of state to whom the right is granted.

(2) An agreement referred to in subregulation (1) must –
(a) set out the terms and conditions on which the right is granted, including, as a minimum –

(i) a sufficient description of the capital asset in respect of which the right is granted, in order to identify the asset;
(ii) particulars of any subsidiary assets that are to be made available with the capital asset;
(iii) the period for which the right is granted;
(iv) the amount of compensation payable to the municipality or municipal entity for granting of the right, and the terms and conditions of payment;
(v) requirements for the private sector party or organ of state to whom the right is granted to maintain and safeguard the asset for its intended purpose, taking into account the condition of the asset and its estimated remaining life at the date of granting of the right;
(vi) where the asset is to be used by the municipality or municipal entity and the public sector party or organ of state to whom the right is granted, the basis of how the asset is to be shared as well as how the costs and benefits of the shared asset will be apportioned between the parties;
(vii) the extent to which the public sector party or organ state to whom the right is granted will be required to make improvements or enhancements to the asset, and the terms and conditions regulating such improvements or enhancements;
(viii) a statement to the effect that the risk and accountability for the asset is transferred to the public sector party or organ of state to whom the right is granted;
(ix) the effective date from which the risk and accountability for the asset is transferred; and
(x) a clause disallowing the private sector party or organ of state to whom the right is granted from ceding or subcontracting the right to another person;
(b) be signed on behalf of the municipality or municipal entity and the private sector party or organ of state to whom the right is granted.

(3) If a long term right to a capital asset with a value in excess of R10 million is granted following the selection of a service provider for the performance of a municipal service referred to in regulation 41(2)(a) or for the performance of a commercial service referred to in regulation 41(2)(b), the agreement referred to in subregulation (1) –
(a) must contain provision for –

(i) contract termination in the case of non- or underperformance;
(ii) dispute resolution mechanisms to settle disputes between the parties;

and

(iii) a periodic review of the agreement once every three years, in the case of an agreement for longer than three years; and

(a) may be incorporated into any service delivery agreement or procurement contract to be concluded with the service provider.
A written lease agreement complying with Section 45 of the Asset Transfer Regulations 2008 must be entered into by and between the applicants and Knysna Municipality.

The property in question does not have a value in excess of R10 million, so there is no need to comply with Section 45(3) of the Asset Transfer Regulations 2008.

**FINANCIAL IMPLICATIONS**

There would be no negative financial impact on Knysna Municipality as the applicant will be liable for all the related costs.

**RELEVANT LEGISLATION**

Local Government: Municipal Finance Management Act, 2003
Asset Transfer Regulations 2008
Knysna Municipality's Management of Immovable Property Policy

**DELEGATION**

Not delegated.

**COMMENTS FROM THE MUNICIPAL MANAGER**

None

**COMMENTS FROM CORPORATE SERVICES**

For consideration by the Committee

**COMMENTS FROM FINANCIAL SERVICES**

Noted

**COMMENTS FROM TECHNICAL SERVICES**

None

**COMMENTS FROM COMMUNITY SERVICES**

Noted. No further comments

**COMMENTS FROM PLANNING AND DEVELOPMENT**

The property seems to serve as a storm water collection point utilised by Infrastructure Services. The garden area should be fenced off at the cost of the lessor to protect the municipality against possible liability claims.

**COMMENTS FROM LEGAL SERVICES**

Recommendations are supported

**COMMENTS FROM IHS**

Noted

**RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

[a] That the report back on the application to lease Erf 2461, Marigold Street in Sedgefield to start cultivation of food and medicinal crops be noted;
[b] That it be noted that the intended leasing of Erf 2461, Marigold Street, Sedgefield was advertised for public comment/and/or objections, be noted;

c] That it be noted no comments/objections were received during the public participation process;

d] That it be noted that the Municipal Valuer, DDP Valuers determined the fair market rental value of Erf 2461, Marigold Street, Sedgefield at R 2 500.00 per month in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003;

e] That approval be granted in terms of Section 34(1)(b) of the Asset Transfer Regulations for the right to use, control or manage Erf 2461, Marigold Street, Sedgefield for a period of 5 years;

[f] That the applicant be informed that the activities to take place on Erf 2461, Marigold Street, Sedgefield should comply with all land uses for the property in question;

[g] That the applicant be informed that no listed plant species may be propagated on the leased area and that the applicant will be responsible for keeping the area clear of alien invasive plant species;

[h] That the applicant be informed that he will be solely responsible for all costs for the establishing and maintenance of a garden on Erf 2461, Marigold Street, Sedgefield;

[i] That the applicants be responsible for all other costs relating to the leasing of Erf 2461, Marigold Street, Sedgefield;

[j] That the leased area should only be used for gardening purposes;

[k] That the monthly rental for Erf 2461, Marigold Street, Sedgefield be R2 500.00 per month with an annual escalation of 7%;

[l] That the Acting Municipal Manager be instructed to enter into a long term lease agreement with the applicants for Erf 2461, Marigold Street, Sedgefield, for a period of 5 years; and

[m] That the lease agreement must be in terms of Section 45 of the Asset Transfer Regulations.

APPENDIX / ADDENDUM

ANNEXURE A – Application for permission to start cultivation of food and medicinal crops on Erf 2461
ANNEXURE B – Market Valuation received from DDP Valuers
ANNEXURE C – Advertisement
ANNEXURE D – GIS Diagram of Erf 2461, Sedgefield
ANNEXURE E – Deed Search of Erf 2461, Sedgefield

File Number : 7/2/1/2
Execution : Director: Corporate
**WinDeed Database Deeds Office Property**

**SEDFIELD, 2461, 0 (CAPE TOWN)**

### GENERAL INFORMATION
- **Date Requested:** 2019/06/20 11:52
- **Deeds Office:** CAPE TOWN
- **Information Source:** WINDEED DATABASE
- **Reference:** -

### PROPERTY INFORMATION
- **Property Type:** ERF
- **Erf Number:** 2461
- **Portion Number:** 0
- **Township:** SEDGEFIELD
- **Local Authority:** SEDGEFIELD MUN
- **Registration Division:** KNYSNA RD
- **Province:** WESTERN CAPE
- **Diagram Deed:** 0291000/0/00
- **Extent:** 1891.000000 SQM
- **Previous Description:** PTN OF 2457-GP12667
- **LPI Code:** C039/01000024610000

### OWNER INFORMATION
- **Owner 1 of 1**
  - **Type:** COMPANY
  - **Name:** LANDJONG BELEGGINGS PTY LTD
  - **ID / Reg. Number:** 70/05670/07
  - **Title Deed:** T13852/1890
  - **Registration Date:** 1990/03/09
  - **Purchase Price (R):** UNKNOWN
  - **Purchase Date:** 1990/03/09
  - **Share:** 0.00
  - **Microfilm:** 1990 0431 0694
  - **Multiple Properties:** NO
  - **Multiple Owners:** NO

### ENDORSEMENTS (1)
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### HISTORIC DOCUMENTS
No documents to display

### DISCLAIMER
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Manager: Legal Services
APPLICATION TO PURCHASE MUNICIPAL OWNED LAND

Notice is hereby given in terms of the Local Government Municipal Asset Transfer Regulations that the Krynua Municipal Council received applications for the disposal and leasing of the following properties at a market related price:

- A portion of Erf 214, White Location, Krynua (disposal);
- A portion of Portion 6 of the farm Hoogekraal, Krynua (disposal);
- Erf 1986, Dinagare Krynua (disposal);
- Erf 121, Kastara (disposal);
- A portion of Erf 210, Union Street (lease);
- A portion of Erf 2252, Homlea, Krynua (lease);
- Erf 2461, Mortgord Street, Sedgefield (lease);
- A portion of Erf 3283, Homlea, Krynua (Homlea replacement clinic) (lease).

Any comments and or objections may be submitted to Mr Reynald Harbrick on or before Thursday, 31 October 2019 via email to rharbrick@krynua.gov.za or krynm@krynua.gov.za

Additional information may be obtained from Mr Reynald Harbrick on
tel. 044 302 6459 or via email to rharbrick@krynua.gov.za

DR. S W VATALA
MUNICIPAL MANAGER

FAVNI, MALAWIAN, is looking for domestic work. Call 063 637 5565

TO LET: 2 - 5 year lease! Super spacious 107m² first floor apartment, 2 bed, 1 bath, large balcony plus lock-up garage, north-facing & quiet area. Views too. R7800pm. Non-smoking/no pets. Ph 083 739 7375

REPAIRS ON ALL BRANDS OF garden / forest and construction machinery – petrol, electrical, Krynua Industrial, (opposite Shell Lubrico). Ph 073 785 1837

LOVE GIFTS. Thank you Werswinlet! ... we love our wooden baskets!

HOMEMADE MILKTARTS, Jude's Lemon Meringue and other treats available daily at the entrance to Foodlovers Market (opposite Krynua Mall). Ph 044 382 0430

INNOCENT FROM MALAWI, with papers needs more days work painting or gardening, has references. Ph 078 984 5305

Krynua Sedgefield
HOSPICE

KIA PREGIO 2.7 DIESEL 12 seater – 2002. Great condition, fantastic value. Finance available. Reduced to R59,900. Call Alan at 044 382 7454 or check it out at www.kynusa cars.co.za

YOUR HELPING HAND IN:
- Building of new swimming pools
- Renovation of swimming pools
- Shell installations
- Fibreglass / Marblite
- Leak detection / Plumbing
- Tiling / Paving

THE FACE OF HOSPICE
Very sick children and those living with a life-threatening illness deserve the very best care possible. Yet, despite how relatively inexpensive, it is to provide such children with palliative care, millions still suffer unnecessarily from unrelieved pain and distress – particularly those who live in the developing world.

Fri 1 October 2019

"Hats off for children's palliative care" is an international day to raise awareness of the compassionate work of children's hospices and palliative care services in providing comfort, managing unrelieved pain and suffering and helping children and their families to have a good quality of life and dignity when death occurs.

Wear a hat on Fri 1 Oct in honour of these children and stand with us and many across the globe to advocate for improved access to these compassionate services. You can also show your support by donating to the International Children's Palliative Care Network at www.ikpnc.org/donate-to-ikpnc or to a local children's hospice or palliative care organisation.

#HatsOn4CPC
Valuation Report

PROPERTY: Erf 2461 Sedgefield
REFERENCE No: DDPMUN2117
REPORT No: 01
DATE: 25 November 2019

Report prepared by: Corné Theron
# Table Of Contents

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**Property Valuation Experts**

- 2 -
1. **CONTACT DETAILS**

<table>
<thead>
<tr>
<th>Name</th>
<th>Corné Theron</th>
</tr>
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<tbody>
<tr>
<td>Title</td>
<td>Valuer</td>
</tr>
<tr>
<td>Organisation</td>
<td>DDP Values (Pty) Ltd</td>
</tr>
<tr>
<td>Address</td>
<td>Menlyn Square Office Park North West Suite 1st Floor, East Block 134 Aramist Avenue Menlyn, Pretoria 0081</td>
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<tr>
<td>Phone</td>
<td>+27 (12) 369 9100</td>
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<tr>
<td>Fax</td>
<td>+27 (12) 86 669 1817</td>
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<td>Mobile</td>
<td>+27 (82) 459 5401</td>
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<tr>
<td>Email</td>
<td><a href="mailto:corne.theron@ddp.co.za">corne.theron@ddp.co.za</a></td>
</tr>
<tr>
<td>Website</td>
<td><a href="http://www.ddp.co.za">www.ddp.co.za</a></td>
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2. **SUMMARY OF KEY FACTS**

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<tr>
<td>Instructing Party</td>
<td>Renwill Hardnick, Knysna Local Municipality</td>
</tr>
<tr>
<td>Instructing Party Reference</td>
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</tr>
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<td>Erf Extent</td>
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3. **INTRODUCTION**

3.1. **INSTRUCTION**

DDP Valuers was instructed by Knysna Local Municipality as represented by Mr Renwill Hardnick to determine the market value and market rental of the subject property as described in this report.

3.2. **PURPOSE OF VALUATION**

The purpose of this valuation report is to determine the fair market value and market rental of the subject property as at the date of valuation.

3.3. **METHOD OF VALUATION**

The Sales Comparison Approach to value compares the subject property to similar properties that have sold under similar market conditions. The value indicated is established by comparing the subject property with similar properties, called comparable sales. Comparable sales are recent property transactions of property that were sold in accordance with the definition of market value.
3.4. METHOD OF RENTAL DETERMINATION

Ground Rental Determination Method

Traditionally, in most countries, Valuers assess ground rentals by applying a “ground rental rate” or percentage per annum to the property’s land value at the beginning of the review or renewal term.

Capitalisation Method

The net normalised income of the property is determined based on the assumption that the property is fully let at open market rentals, market escalation applies and incurs market related operating cost. The net normalised income is then capitalised into perpetuity using a market related capitalisation rate to reflect the open market value.

3.5. DEFINITIONS

Market Value: The estimated amount for which a property (asset) should exchange on the date of valuation between a willing buyer and a willing seller in an arm’s-lengths transaction after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion.

Rental Value: The amount of money a property would rent or lease for on the date of valuation for the right to occupy such a property, allowing for the scarcity of that kind of property and the willingness of tenants to pay. It is the amount that would be paid for rental of a similar property in the same condition and in the same area.

3.6. EFFECTIVE DATE OF VALUATION

25 November 2019

3.7. INFORMATION SOURCES

Deeds Office Cape Town
Chief Surveyor General
Local Authority – Krynica Local Municipality
Lightstone Property Transfers
4. LOCATION

4.1. LOCATION

The subject property is an irregular shaped vacant land. It is located in Sedgefield in Marigold Street.

Figure 1 Micro location
4.2. SITE DESCRIPTION

The subject property is comprising of an irregular shaped portion and offers a fairly level elevation profile.

5. DESCRIPTION OF IMPROVEMENTS

As per instruction from the client, this valuation excludes all improvements and only reflects a value allocated to the land portion of the subject property.

This valuation excludes any improvements and reflects land value only.
6. MARKET COMMENTARY

The central area of Sedgefield (The Village) together with the Island (Extension 1) form part of the original town area that was proclaimed in 1929. Since then, the extensions of Smutsville, Sizamile, Groenvlei, Myoli Beach and Cola Beach were added to provide residences for the approximately 8000 permanent inhabitants of Sedgefield.

The town’s main economic activity revolves around tourism, with secondary activities centered on serving the needs of local residents and regional farmers. The laid-back rustic village atmosphere is reflected in the town’s motto of being a place where ‘the tortoise sets the pace’. Sedgefield is the first African member of the Cittaslow movement. A popular attraction is the Wild Oats market which attracts large numbers of tourists and residents from the region every Saturday morning with fresh produce and local crafts. A golf course (the ‘Fynbos Links’), tennis court and bowls field caters to the significant portion of retired permanent residents of the town.

Property selling prices show a steady increase from 2009 up to 2018 with a marginal decrease in 2019:

![Graph showing property selling prices from 2009 to 2019]

The number of properties sales registrations showed a steady increase from 2012 to 2016 and then a sharp drop in 2017 after which is increased again in 2018:

![Graph showing number of property sales registrations from 2009 to 2019]

There are currently approximately 670 properties on the market in Sedgefield.
The most accurate method to determine an appropriate rate is through evidence produced by actual market transactions. This information is not always readily available, as there is an encumbrance of confidentiality of transactions, corporate transfers and lack of access which hamper the comparison process.

The following comparable sales will be utilised to determine the market value of the subject property:

**Comparable sale 1:**

| Property Type: | FIRENCE | Legal Description: | 81 642 [P{N} 1462] SEDGEFIELD SEDGEFIELD W N W |
| Municipality: | WESTERN CAPE | Ed No.: | 542 |
| Township: | SEDGEFIELD | Street: | Typh STREET |
| Province: | WESTERN CAPE | City: | |
| Ed No.: | | | |
| Street #: | 16 | | |
| Sold #: | 20139002 | | |
| Sale Price: | R 336 929 | | |
| Google Maps: | 34.55908, 22.8112 | | |
| | | | |

Selling rate = R336.32/m²
Comparative sale 2:

<table>
<thead>
<tr>
<th>Property type:</th>
<th>FREEHOLD</th>
<th>Legal Description:</th>
<th>442 TEGGFIELD SEDGEFIELD MAIN WESTERN CAPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Province:</td>
<td>WESTERN CAPE</td>
<td>Municipality:</td>
<td>Wynberg</td>
</tr>
<tr>
<td>Township:</td>
<td>SEDGEFIELD</td>
<td>Ext no.:</td>
<td>142</td>
</tr>
<tr>
<td>Section #:</td>
<td>0</td>
<td>Street:</td>
<td>Maitland STREET</td>
</tr>
<tr>
<td>Street #:</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Last Sales Date:</td>
<td>2011/02/22</td>
<td>Last Sales Price:</td>
<td>R 430 000 (Possibly Land Only)</td>
</tr>
<tr>
<td>Land Size (Registered):</td>
<td>1115 m²</td>
<td>Coordinates (Lat, Long):</td>
<td>Google Maps: 34.0138, -21.9345</td>
</tr>
<tr>
<td>Land Size (Cadastral):</td>
<td>1115 m²</td>
<td>SG Code:</td>
<td>030601000000012500009</td>
</tr>
</tbody>
</table>

**Selling rate = R408.07/m²**


Comparative sale 3:

<table>
<thead>
<tr>
<th>Property type:</th>
<th>FREEHOLD</th>
<th>Legal Description:</th>
<th>442 TEGGFIELD SEDGEFIELD MAIN WESTERN CAPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Province:</td>
<td>WESTERN CAPE</td>
<td>Municipality:</td>
<td>Wynberg</td>
</tr>
<tr>
<td>Township:</td>
<td>SEDGEFIELD</td>
<td>Ext no.:</td>
<td>409</td>
</tr>
<tr>
<td>Section #:</td>
<td>0</td>
<td>Street:</td>
<td>Kolkbowl STREET</td>
</tr>
<tr>
<td>Street #:</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Last Sales Date:</td>
<td>2010/12/22</td>
<td>Last Sales Price:</td>
<td>R 395 000 (Possibly Land Only)</td>
</tr>
<tr>
<td>Land Size (Registered):</td>
<td>1116 m²</td>
<td>Coordinates (Lat, Long):</td>
<td>Google Maps: 34.0210, -22.1245</td>
</tr>
<tr>
<td>Land Size (Cadastral):</td>
<td>1116 m²</td>
<td>SG Code:</td>
<td>030601000000012500005</td>
</tr>
</tbody>
</table>

**Selling rate = R313.90/m²**

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**Property Valuation Experts**

- 9 -
Comparative sale 4:

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Province</th>
<th>Township</th>
<th>Road</th>
<th>Strata</th>
<th>Street</th>
<th>Parcel</th>
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<tbody>
<tr>
<td>Freehold</td>
<td>Western Cape</td>
<td>Goodwood</td>
<td>The Village</td>
<td>4</td>
<td>Parrot Road</td>
<td></td>
</tr>
</tbody>
</table>

- Land Size: 1095 m²
- Registered Land Size: 1090 m²
- Estimated Size Under Roof: Not Available

Selling rate = R401.82/m²

Summary of comparable sales:

Sale 1: Selling rate = R336.32 (1115 m²)
Sale 2: Selling rate = R408.07 (1115 m²)
Sale 3: Selling rate = R313.90 (1115 m²)
Sale 4: Selling rate = R401.82 (1095 m²)

Average selling rate = R365.03/m²

7. Motivation

Factors that were taken into account are:

- The valuation of vacant land is based on the assumption that the relationship between land price and land size is concave, that is, that the price per unit of area (m²) decreases with an increase in land size.

- The subject property is deemed larger than the comparable sales as well as other properties in the micro area.

- As per general plan 12667 (attached) the subject property is proclaimed as a PUBLIC OPEN SPACE. This is also an endorsement on the title deed (T13832/1990).

- The property is currently an open space. The intended use as per instruction received from the client is for a garden.

Property Valuation Experts

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8. VALUATION

A regression line based on the selling rates of the comparable sales indicates a rate of R195.82/m² for a property offering a land extent of 1891m². A further negative adjustment is required for the limitations on use (Public open space). An allowance of 15% is deemed sufficient.

Given the above an adjusted rate of R166 will be utilised to determine the value of the subject property:

CALCULATION:

1891m² x R166/m² = R313 906

After due consideration of the comparable sales listed, the condition, size and location of the subject property, as well as the current market conditions, a valuation of R300 000 (Three hundred Thousand Rand Only) is considered market related.

9. RENTAL DETERMINATION

Ground Rental Determination Method

Traditionally, in most countries, valuers assess ground rentals by applying a “ground rental rate” or percentage per annum to the property’s value at the beginning of the review or renewal term. It follows that once the appropriate land value (LV) and annual ground rental rate (GR%) is determined the ground rental (GR) can be calculated as:

Ground Rental = Market Value x Ground Rental Rate (or: GR = MV x GR %)

<table>
<thead>
<tr>
<th>Property</th>
<th>Market Value (MV)</th>
<th>GR %</th>
<th>GR per annum</th>
<th>GR per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>R330 000</td>
<td>10%</td>
<td>R30000/annum</td>
<td>R2500/month</td>
</tr>
</tbody>
</table>

This method indicates a ground rental of R2 500/month.

Capitalisation Method

As a cross reference a Capitalisation Method will in addition be utilised. This method is based on the traditional formulae of:

\[ V = \frac{NI}{i} \]

<table>
<thead>
<tr>
<th>Property</th>
<th>Market Value (V)</th>
<th>GR %</th>
<th>GR per annum</th>
<th>GR per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>R300 000</td>
<td>14%</td>
<td>R42000/annum</td>
<td>R3500/month</td>
</tr>
</tbody>
</table>

This method indicates a rental of R3 500/month.
When considering the market rental rate to apply, various value forming attributes and other factors must be considered including the following:

- Location of the subject property as well as property use and the nature of the micro area;
- Restricted use of the subject property;
- The size, elevation profile and shape of the property;
- The current zoning of the subject property;
- A higher capitalisation rate should be applicable to the rental of the property given the risk factors; and
- The relation between supply of, and demand for, similar rental properties.

As per above calculations, a rental rate of between R2 500/month and R3 500/month is market related. After considering all the above factors, as well as the existing and intended use of the property as a garden, the ground rental method of determining market rentals is deemed to be the most accurate method.

10. MARKET RENTAL ESCALATION

The projected market escalation rates are based on previous research conducted on the following types of properties:

- Billboards Rental Determinations
- Cell phone Mast Rental Determinations
- Land Rental Determinations
- Farm Land Rental Determinations
- Various Commercial Buildings

The annual market escalation rate should also consider general CPI inflation and this rate generally range between 5% and 6.5%. The SARB's inflation outlook deteriorated slightly to 5.2% in 2013 from an expectation of 5.1% previously. The bank targets a headline inflation rate of 3%-6%. Food and petrol prices posed the main risk to its inflation forecast. Inflation slowed to 5% in August, ticking up slightly from a 14-month low of 4.9% in July.

The duration and type of the lease agreement will impact the proposed escalation rate i.e. if the lease agreement is a long term lease agreement this could contribute to a lower rental amount and vice versa.

From the research conducted market rate escalation range between 5% and 10%.
11. CONCLUSION

11.1. MARKET RENTAL:

As per the capitalization method of rental determination, a rental of

R2 500.00 per month
(Two Thousand Five Hundred Rand per month)

is deemed market related for the subject property.

11.2. MARKET RENTAL ESCALATION:

An average escalation of 7% per annum is considered market related.

12. CONDITIONS AND RECOMMENDATIONS

The value and rental as reflected in this report does not include any improvements and
is for the land component of the subject property only.

DECLARATION

After taking due consideration of all the relevant factors I, Corné Theron, in my capacity
as a Professional Valuer consider the above valuation to be a true reflection and a fair
assessment of the subject property's market value as at the date of valuation.

E C THERON
Professional Valuer (South Africa)
SACPVP Reg. No.: 6831/4

DATE 25 November 2019
Appendix A: Instruction

Hi there,

Attached hereto please find the information as required.

The valuations are for the following:

- Portion of Erf 219 Knysna = 929 m². The application is for land only. The applicant is buying a building to be used as a Veranda.
- Portion of Erf 220 Knysna = 3170 m². The applicant wants to build a dwelling and build a dwelling and erect a portion of the purchased portion. Not for a permit. They will require a permit for access over a portion of their land.
- Portion of Erf 220 Knysna = 489 m². The applicant wants to use the land for parking.
- Portion of Erf 220A Knysna = 1481 m². The applicant wants to build a garden shed on a portion of Erf 220A, Knysna.
- Portion of Erf 2412 Sedgefield = 3999 m². The applicant is to start cultivating food and medicinal crops on a portion of Erf 2412, Sedgefield.

We need a few more valuations. It will be possible for you to perform these as well since you are here?

Thanks

Rهدnick
Administrative Officer Properties
P.O. Box 27, Knysna, 8782 Western Cape, South Africa
Tel: +27 (0)44 386 0800 (backwall) or 382 1463 (direct)
Fax: +27 (0)44 386 1200 • Email: rhednick@knysna.gov.za
## Property Valuation Experts

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### Property detail:

<table>
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<tr>
<th>Property detail</th>
<th>Details</th>
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<tr>
<td>Property type</td>
<td>ERF</td>
</tr>
<tr>
<td>Township</td>
<td>SEDGEFIELD</td>
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<tr>
<td>Erf number</td>
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<td>Portion</td>
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<td>Province</td>
<td>WESTERN CAPE</td>
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<tr>
<td>Registration division/Administrative district</td>
<td>KNYSNA RD</td>
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<td>Local authority</td>
<td>SEDGEFIELD MUN</td>
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<td>Previous description</td>
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<td>Diagram deed number</td>
<td>8291000/800</td>
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<td>Extent</td>
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### Title Deeds detail:

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<tbody>
<tr>
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<td>-</td>
<td>-</td>
<td>1990 0431 0694</td>
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### Owners detail:

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<th>Full name</th>
<th>Identity Number</th>
<th>Share</th>
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</thead>
<tbody>
<tr>
<td>T13832/1990</td>
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<td>70/05676:07</td>
<td>-</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Endorsements / Encumbrances:

<table>
<thead>
<tr>
<th>Endorsement / Encumbrance</th>
<th>Holder</th>
<th>Amount</th>
<th>Microfilm reference</th>
<th>Document copy?</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUBLIC PLACE</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Not available</td>
</tr>
</tbody>
</table>
CAVEATS

1. FULL DISCLOSURE

This valuation has been prepared on the basis that full disclosure of all information and factors that could affect the valuation (‘all relevant factors’) have been made to us. We accept no liability or responsibility whatsoever for the valuation if it should transpire that a full disclosure of all relevant factors was not made.

2. THIRD PARTY INVOLVEMENT

Where reliance was placed on information supplied by third parties in undertaking the evaluation, we have assumed such information to be substantially correct. We accept no liability or responsibility whatsoever for the valuation if it should transpire that the information supplied was substantially incorrect.

3. VALUATION STANDARD

This valuation has been prepared in accordance with the International Valuation Standards Committee requirements as adopted by the South African Council for the Property Valuers Profession and the South African Institute of Valuers.

4. FREEHOLD PROPERTY

In the case of freehold properties we have inspected the relevant Title Deed documents when available. Whenever perusal of the Title Deed caused concern, we made specific reference to this in the Valuation Report. Where the Title Deeds were not available we have assumed that good title can be shown and that the property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings.

5. MORTGAGE BONDS, LOANS OR OTHER CHARGES

The property has been valued as if wholly owned with no allowance made for any outstanding monies due in respect of mortgage bonds, loans or other charges. No deductions have been made in our valuation for the cost of acquisition, such as legal or transfer fees, or the costs involved in the disposal of the assets.

6. CALCULATION OF AREAS

Where the client (or his/her representative) has provided all surface areas quoted within the Valuation Report, we assume such surface areas have been calculated in accordance with the SAPOA standard method of measurement. Where a valuer on site measures the surface areas, the SAPOA standard method of measurement shall be employed.

7. PLANS

All plans included in the Valuation Report are supplied for the purpose of identification and orientation only and are not necessarily to scale.
8. PROPERTY BOUNDARIES

The farm or property boundaries, as indicated to the Valuer by the instructing client or his appointed agent, or the boundaries as indicated by plans supplied by the client, are assumed to be the legal extent of the property. Any variation of these boundaries by extension or omission, and the resultant inclusion or omission of any improvements because of this or these variations, cannot therefore be regarded as the responsibility of the Valuer. We accept no liability or responsibility whatsoever for the valuation should it transpire that any boundaries were incorrectly pointed out.

9. OUTGOINGS

It is assumed, except where otherwise stated, that the property is subject to the normal property owner's outgoings and that there are no onerous restrictions or unusual covenants of which we have no knowledge. In preparing our valuation, we have formed our opinion of outgoings, having had reference to the various schedules of outgoings supplied by the client or a representative thereof.

10. STRUCTURAL CONDITION

The property has been valued in its existing state. In the event of its ownership or use changing in such a manner that the local authority will require the upgrading of the premises to comply with fire protection and other regulations, it may be necessary to reduce the valuation by the amount covering the cost of such compliance. We have had regard to the apparent state and condition of the property but have not carried out a structural survey, nor inspected those areas, which were covered, unexposed or inaccessible, neither have we arranged for the testing of electrical, heating or other services. The valuation assumes that the services and structures are in a satisfactory state of repair and condition, unless otherwise stated in our report. The valuation further assumes that the improvements have been erected in accordance with the relevant Building and Town Planning Regulations as well as the Local Authority by-laws. We have not inspected woodwork or other parts of the structure, and we are therefore unable to reposit that such parts of the property are free from rot, beetle or other defects. We have assumed that no deleterious or hazardous materials or techniques were used in the construction of the property nor have since been incorporated.

11. CONTAMINATION

Our valuation assumes that a formal environmental assessment is not provided and further that the property is not environmentally impaired nor contaminated, unless otherwise stated in our report.

12. VACANT LAND

No soil or substratum tests on the property have been undertaken and it is assumed that the property is suitable for the intended purpose, without having to provide excessive reinforcement to any structure built thereon.
13. STATUTORY NOTICE AND UNLAWFUL USE

We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

14. INDIVIDUAL PROPERTIES

The values reported are for the individual properties. No allowance is made for any premium, which may be applicable for an assembled portfolio of properties, nor is a discount allowed for any flooding of the market, which might exist if all, or a majority of the properties were offered for sale simultaneously.

15. CONFIDENTIALITY

This valuation is produced exclusively for the client and for the specific purposes to which it refers. It may be disclosed to other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

16. NON-PUBLICATION

Neither the whole nor any part of this valuation report or certificate, nor any reference thereto, may be included in any published document, circular or statement, nor published in any way without the written approval of the Valuer, as to the form or context in which it may appear and acknowledgement that the Valuer are professional valuers.

17. INDEPENDENT VALUERS CLAUSE

Neither the Valuer, nor any employee, have any present or contemplated interest in this or any other properties or any other interests, which could affect the statements or values, contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis by a valuer employed the Valuer, a company which specializes in valuation and which does not trade in these assets.

18. VALUE ADDED TAX

All figures quoted are exclusive of Value Added Tax.
Good Day Mr. Adonis

I am so glad you share my vision of how important it is to start growing our own food again!

I am writing as a part of a group of residents who live in and around Sedgefield. We would like to gain permission to start cultivation of food & medicinal crops on a piece of vacant land which is owned by the Municipality.

I have already made my neighbours aware of my intention, and there are no objections.

The Plot is Erf 2461 which comprises of 1890m², and is next to where I live.

The reasons for cultivation can be stated as follows:

- To gain an understanding of the climate & growing conditions of Sedgefield to further the knowledge of residents as what to plant when;
- To be a showcase for the surrounding community as to what is possible to grow in a small area as well as how to go about it;
- To bolster the food & health security of the surrounding community;
- To turn a barren plot into an attractive plot.

Thank you for your time and consideration.

Sincerely,
Anika Hari together with Waldo Shafri and Juan Marais

Tel: 074 191 0434
Email: info@glutenfreegirl.co.za
REPORT FROM THE ACTING MUNICIPAL MANAGER

PURPOSE OF THE REPORT

To report back on the application to purchase Erf 8269, Khayalethu, abutting Erf 20283, Khayalethu in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

BACKGROUND

Dorothy Broster Child and Youth Care Centre is the owner of Erf 20283, Khayalethu. Erf 20283 does not have sufficient space for the provision of a playground for the children of Dorothy Broster.

As a result of the aforesaid need, the organisation submitted an application to lease or purchase Erf 8269, Knysna for this purpose. The application served before Council on the 27th of September 2018. Council resolved to have the said application advertised for public comment. The application was also circulated to internal departments for their comments.

As per resolution [f] of the above Municipal Council Resolution, the proposed alienation of Erf 8269, Knysna, in Khayalethu to the adjacent owner of Erf 20283, Khayalethu (Dorothy Broster Child and Youth Care Centre) for a play park was advertised (See annexures C and D).

An electronic mail was received from one S. Mtsolo, who showed an interest in the property, indicating that he would like to grow a business in Knysna (See annexures E).

Our Integrated Housing Settlements Department, advised that it is anticipated that the subject portion, Erf 8269, Khayalethu is needed to provide formal housing in the form of rental or social housing in the near future to accommodate the about 10 wooden structure occupants (See annexures F).

A report was submitted to the Municipal Council and the Municipal Council resolved as follow:

"C09/05/19 REPORT BACK ON THE APPLICATION TO PURCHASE 8269, KHAYALETHU, KNYSNA, ABUTTING ERF 20283, KNYSNA

UNANIMOUSLY RESOLVED

[a] That the report and annexure’s regarding the application to purchase Erf 8269, Khayalethu, abutting Erf 20283, Khayalethu, be noted;

[b] That Council notes the intention of the Department of Human Settlements to develop Social Housing units on Erf 8269, Khayalethu, which is currently utilised as teachers’ cottages; and

[c] That the extent of the portion required by the Dorothy Broster Child and Youth Welfare Centre be investigated to determine whether it will not
interfere with the Social Housing development planned for the property, and report be submitted to the Section 80 Governance meeting to be held in June 2019.

File Number: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

A site meeting was arranged with the Manager IHS in order to determine whether the extent of the portion required by the Dorothy Broster Child and Youth Welfare Centre be investigated to determine whether it will not interfere with the Social Housing development planned for the property. The Manager IHS at the meeting stated that IHS cannot support the alienation of the property as the whole property is needed for housing purposes. The Manager IHS submitted an e-mail confirming this (See annexures G).

DISCUSSION

Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) deals with disposal of capital assets of municipalities and reads as follows:

“14. Disposal of capital assets:

(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –

(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

(3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

(4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection 2(a) and (b) in respect of movable capital assets below a value determined by the council.

(5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111…”
FINANCIAL IMPLICATIONS

This Municipal property must be alienated at a market related price as determined by the Municipal Valuer.

In the event that Council is to dispose of the property, there will be no cost to Council, as the applicant must be liable for all the costs relating to this transaction.

RELEVANT LEGISLATION

Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations

DELEGATION

Delegation to Municipal Council

COMMENTS FROM THE MUNICIPAL MANAGER

None

COMMENTS FROM CORPORATE SERVICES

For consideration by the Committee

COMMENTS FROM FINANCIAL SERVICES

Noted

COMMENTS FROM TECHNICAL SERVICES

None

COMMENTS FROM COMMUNITY SERVICES

No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT

The comment from the Director Integrated Human Settlements are noted and there is a scarcity of land to meet the human settlement demand in the area.

COMMENTS FROM LEGAL SERVICES

Recommendations are supported the legal implications will stem from the agreement

COMMENTS FROM IHS

Due to scarcity of land and need to prioritise housing, the motivation for the purchase is not supported.

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report back on the application to purchase Erf 8269, Khayalethu, abutting Erf 20283, Khayalethu, be noted;

[b] That it be noted that the property is required for Social Housing purposes;

[c] That the application of Dorothy Broster Child and Youth Welfare Centre to purchase a portion of Erf 8269, Khayalethu, abutting Erf 20283, Khayalethu not be approved.
APPENDIX / ADDENDUM

ANNEXURE A – Application received from Child Welfare, South Africa, Knysna

ANNEXURE B – GIS Map indicating Erf 8269

ANNEXURE C – Advertisement

ANNEXURE D – Advertisement

ANNEXURE E – S. Mtsoolo e-mail

ANNEXURE F – Comments from IHS

ANNEXURE G – Email from Manager IHS

File Number : 7/2/1/2
Execution : Acting Municipal Manager
            Director : Corporate Services
            Manager : Legal Services
Go to the website of the non-profit organization, and then write a succinct summary of their mission and goals.

ANNEXURE G

Renwill Hardnick

From: Lindile Petuna
Sent: 05 November 2019 14:48
To: Nonhlanhla Mndebela
Cc: Melony Paulsen; Theo Wall; Khayalethu Nomgogwana; Renwill Hardnick; Director IHS
Subject: RE: REPORT BACK ON THE APPLICATION TO PURCHASE 8269 KHAYALETHU KNYSNA ABUL

Good Day Nonhlanhla

I confirm that we discussed the matter at the site inspection held earlier today where we reiterated the IHS is opposed to the disposal of the said properties due to the fact that they are still required for the provision of basic services which in this case refers to the provision of housing to deserving beneficiaries. In this instance, the said properties were in the past used as teacher quarters and have evolved over time and are being used by actual housing beneficiaries. The Plan for Human Settlements is to utilise this portion in order to respond to the rental housing program which is provided through CRU and Social Housing.

We have done an assessment of the site itself and found that there is already an Open space facility available on the site of the applicant to which the applicant have stated its insufficiency. Whilst the applicant have expressed their interest in order to serve their occupants, it must also be mentioned that the same need they have to provide play facilities is also a requirement for children in the immediate vicinity where children do not have such facilities. It is therefore our view that for the disposal of this property, that also the needs of the immediate community be considered and alienation to the applicant is not justified.

One of the policy provisions of government is the optimal use of available resources and one of the key priorities in Knysna Municipality especially in this community is the provision of housing.

Regards

Lindile Petuna: Manager IHS
P O Box 21, Knysna, 6570, Western Cape, South Africa
Tel +27 (0)44 302 6300 (switchboard) or +27 (0)44 302 6580 (direct)
e-mail lpetuna@knysna.gov.za

From: Nonhlanhla Mndebela <nmndebela@knysna.gov.za>
Sent: 04 November 2019 14:55
To: Lindile Petuna <lpetuna@knysna.gov.za>
Cc: Melony Paulsen <mpaulsen@knysna.gov.za>; Theo Wall <twall@knysna.gov.za>; Khayalethu Nomgogwana <knomgogwana@knysna.gov.za>; Renwill Hardnick <rhardnick@knysna.gov.za>
Subject: RE: REPORT BACK ON THE APPLICATION TO PURCHASE 8269 KHAYALETHU KNYSNA ABUL

Hi Lindile,

Thank you for the quick response, myself and Renwill will meet you on site tomorrow morning at 8:30.

Kind Regards

Nonhlanhla Mndebela Head: Properties
P O Box 21, Knysna, 6570, Western Cape, South Africa
Tel +27 (0)44 302 6300 (switchboard) or 302 6456 (direct)
e-mail nmndebela@knysna.gov.za

286 | P a g e
ANNEXURE F

Renwill Hardnick

From: Theo Wali
Sent: 27 March 2019 8:33 AM
To: Renwill Hardnick
Cc: Portia Matha
Subject: RE: PLAYGROUND FOR CHILDREN OF DOROTHY DROSTER CHILD AND YOUTH CARE CENTRE (DBCYCC) – APPLICATION TO BUY ERF 8269, KNYSNA

Morning Renwill

Currently there are about 10 wooden structures which were built to accommodate teachers for Percy Mdala High School, housing department have a plan to formalised the site and build rental or social housing for future purposes.

Regards

From: Renwill Hardnick
Sent: 27 March 2019 08:02
To: Mawethu Penxa <mpenxa@knysna.gov.za>, Theo Wali <twali@knysna.gov.za>
Cc: Portia Matha <pmatha@knysna.gov.za>
Subject: RE: PLAYGROUND FOR CHILDREN OF DOROTHY DROSTER CHILD AND YOUTH CARE CENTRE (DBCYCC) – APPLICATION TO BUY ERF 8269, KNYSNA

Thank you Mawethu.

Theo I will be waiting to hear from you.

Thanks

From: Mawethu Penxa
Sent: 27 March 2019 7:59 AM
To: Theo Wali <twali@knysna.gov.za>, Renwill Hardnick <hardnick@knysna.gov.za>
Cc: Portia Matha <pmatha@knysna.gov.za>
Subject: FW: PLAYGROUND FOR CHILDREN OF DOROTHY DROSTER CHILD AND YOUTH CARE CENTRE (DBCYCC) – APPLICATION TO BUY ERF 8269, KNYSNA

Morning Renwill

For your attention.

From: Renwill Hardnick
Sent: 27 March 2019 07:55
To: Mawethu Penxa <mpenxa@knysna.gov.za>, Portia Matha <pmatha@knysna.gov.za>
Cc: Theo Wali <twali@knysna.gov.za>
Subject: FW: PLAYGROUND FOR CHILDREN OF DOROTHY DROSTER CHILD AND YOUTH CARE CENTRE (DBCYCC) – APPLICATION TO BUY ERF 8269, KNYSNA

Good morning.
I am still waiting for the comments from Housing regarding the movement of the people living in the teachers cottages on Erf 8269, Knysna.

Thanks

Renwill Hardnick | Senior Clerk: Property Management
P O Box 21, Knysna, 6570, Western Cape, South Africa
Tel +27 (0)44 302 5300 (switchboard) or 302 6459 (direct)
Fax +27 (0)44 302 5042 e-mail rhardnick@knysna.gov.za

From: Renwill Hardnick
Sent: 26 November 2018 4:30 PM
To: Mawethu Penxa <mpenza@knysna.gov.za>
Subject: PLAYGROUND FOR CHILDREN OF DOROTHY DROSTER CHILD AND YOUTH CARE CENTRE (DBCYCC) – APPLICATION TO BUY Erf 8269, KNYSNA

Dear Mr. Mawethu,

Please see attached letter.

Please provide us with your comments, specifically with regards to the people living on Erf 8269 (Teachers Cottages).

Renwill Hardnick | Senior Clerk: Property Management
P O Box 21, Knysna, 6570, Western Cape, South Africa
Tel +27 (0)44 302 5300 (switchboard) or 302 6459 (direct)
Fax +27 (0)44 302 5042 e-mail rhardnick@knysna.gov.za
Hi Mr. Hardnick

I hope this mail finds you well. As per the advert on action ads of 25-10-2018, May I ask if this land will only be sold to adjacent owners or to any citizen in Knysna?

ie. Erf 8269 will be sold only to Dorothy Broster Children Center and not anyone else?

Can I also ask that you send me prizes as well please, as I have a business that I would like to grow in Knysna. Thanks a lot

Kind regards
S Mtsolo
060 4491 461
Some new hope for New Horizons

CYNTHIA STANDER

A sense of hope swept across what has been described as a ‘discrete congestion’ when a land acquisition deal for housing was signed in Tuinekwa.

The lack of housing in several Pinelands Buy-Back schemes, including New Horizons, Pinelands and Quivens, has been a common refrain in past months and has led to sporadic protests, which had intermittently brought the town to a standstill in June and July this year.

The project, started by the City of Cape Town since October 2018, has been beset with delays and cost overruns. The project was meant to resolve the problem of housing 2000 people by the end of 2020. However, the project was delayed due to a lack of funding.

The event was attended by representatives from various stakeholders, including the City of Cape Town, the Department of Human Settlements, and community organizations. The representatives discussed the progress of the project and the challenges faced so far.

The event was also attended by residents of New Horizons, who expressed their concerns about the lack of progress in the project. They said that they were disappointed with the delays and called for action to be taken to accelerate the project.

The event concluded with a commitment to continue working on the project and to ensure that the residents of New Horizons are not left behind.

VACANCY BULLETIN

VACANCY - FAMILY Krueya Social Worker (3000 Rands monthly - entry level full-time position)

Requirements:

- Previous experience with non-profit organizations
- Excellent communication skills
- Excellent interpersonal skills
- Good organizational skills

Closing Date: 31 October 2018

If you are interested, please submit your CV and a cover letter to hr@krueya.org.za

EXCITING OPPORTUNITY FOR PEOPLE WHO WANT TO MAKE A DIFFERENCE

DEPARTMENT OF HEALTH

GENERAL WORKER (STORES ASSISTANT)

EARN $900 PER MONTH. EMPLOYEE'S CONTRIBUTION TO THE PENSION FUND, HOUSING AND MEDICAL ALLOWANCE.

Qualification: High School Certificate

Responsibilities: Assist in the maintenance of inventory and supplies, ensure that all supplies are available when needed, maintain a clean and organized work area, and assist in the training of new employees.

Closing Date: 16 November 2018

Please submit your application to the attention of Mr. P. Lombard, The Manager, Krueya District Office.

INSTRUCTIONS TO APPLICANTS: All applications should be submitted to the Department of Health, Krueya District Office. The applications should include a cover letter, a CV, and a completed application form. The completed application form should be submitted by the closing date. The applications should be submitted in a sealed envelope and marked with the position for which you are applying. No late applications will be accepted.

The Department of Health is committed to affirmative action, and we encourage applications from all members of society. In particular, we encourage applications from members of historically disadvantaged groups, including women, disabled persons, and members of the LGBTQIA+ community.

The Department of Health is committed to maintaining a culture of zero tolerance for sexual harassment, gender-based violence, and any other form of discrimination.

The Department of Health is committed to maintaining a culture of diversity, equality, and non-discrimination. The Department of Health is committed to maintaining a culture of inclusion, and we encourage applications from all members of society.
ANNEXURE C

The smallest act of kindness is worth more than the greatest intention.

- Kathi rollin

MASSAGE THERAPIST
079 318 8273
Can do house calls

AUTOBOSS SERVICE NISSAN
40 POINT Make Service - 24 hour Mobile
Service. TRADING BELL CPFUMES. CH
JONKTLUS, DORELE. We shop &
collect Cleaning. NE. Louis, NR. Rapid
Drying 1151 078 779 910. Arranfold
ROAD, Market. RETAIL MOTOR
INDUSTRIES. We are next to BUCI
Pennywhackers, Krynica Industrial

Krynica Municipality strives to maintain its position as a premier tourist destination in South Africa - a place where peace, prosperity and harmony prevail, ensuring an exceptional lifestyle for residents and visitors alike.

NOTICE OF THE INTENTION TO LEASE AND DISPOSE OF MUNICIPAL OWNED LAND

Notice is hereby given in terms of the Municipal Asset Transfer Regulations that the Municipal Council intends to:

1. Sell Erf 8269, Krynica (Khayatlela) to the adjacent owner of Erf 20283, Krynica (Dorothea Brotter Child and Youth Care Centre) at a market-related price;
2. Sell a portion of Erf 211 to the adjacent owners of Erven 314 & 315, Krynica at market-related price;
3. Lease a portion of Erf 2731, Krynica, to start a fruit and veg stall;
4. Lease a portion of Erf 7212, Krynica (Khayatlela), to start a carwash and
5. Lease the building situated on a portion of Erf 1342, Krynica on the corner of Long Street and Waterfront Drive, Krynica.

Additional information can be obtained from Mr. Remelli Hordnick at tel. 044 302 6459 or e-mail rhordnick@krynica.gov.za during normal business hours.

Any comments or objections regarding the proposed leases and disposals must be submitted in writing to the Municipal Manager, P.O. Box 21, Krynica 6579, by no later than 12:00 noon on 30 November 2018.

J DOUGLAS
ACTING MUNICIPAL MANAGER
Clyde Street
KRYNICA
6579

TO LET: 2 Bedroom flat, and w/f, security, water. Ph. 081 244 2916 or 063 123 1982

ANTIQUE, BOOKS, collectables. We stock a good selection of antique furniture, porcelain, silver, glass, books and other interesting items. Come and browse at Deja Vu, Woodmill Lane. We buy and sell. 044 382 1259

COASTAL WINDOWS & DOORS - Aluminium and wooden windows and doors, glass, mirrors & hardware. Smart Solutions Tel: 044 382 8538 www.coastalwindows.co.za

CASINA IS A GOOD and intelligent worker. She wants to work 5 days a week. Please ph 071 151 3116

MAIN STREET
SHOP TO LET
Sedgefield.
High Profile shop of 58 sqm.
Very reasonable rent.
Phone 082 569 6459

HOUSEKEEPER Tuesday, Thursday, 076 200 6753. June
BOWLS SATURDAY R200, tennis racket - new, extra light for sale. 076 105 8495
WANTED ~ Bow tent, camp equipment. Tel: 0848 872 7448
WHITE HANDS for your painting, pooling, gutter clean, plaster & roof cleaning. Contact Patrick: 071 087 0013
STEPING STONES Grade 8 class of 2006 new writing material, my last class! Good luck to all of you and happy days afterwards. Lesley Satchel

Zen Retreat
"GREAT Love. GREAT Compassion. Embracing each and every moment of the day!"
With Visiting Zen Teachers
Saturday 17th October 2 to 5 pm
Sunday 18th October 9 to 12 am
Leon Studio, Thesen Hoven.
Total Cost R350
01 March 2018

Krynysa Municipality
PO Box 21
KNYSNA
6570

Attention: The Municipal Manager

Dear Mr Chetty,

RE: PLAYGROUND FOR CHILDREN OF DOROTHY BROSTER CHILD AND YOUTH CARE CENTRE (DBCYCC)

The members of the Management Committee of Child Welfare SA, Krynysa (CWSA: Krynysa) would like to raise their concerns regarding the fact that DBCYCC does not have adequate land/space to provide in the need of the children being placed there, to have a playground where they can safely play under supervision.

The fervent wish of the Management Committee has always been to have a playground as close as possible to the existing CYCC but with informal research and enquiries in this regard we could not establish such a piece of available land.

The Board of the Dietrich Liedelt Foundation (Hamburg, Germany), who has been supporting DBCYCC for the past 12 years, expressed their wish to support and assist the named CYCC to buy or lease land which can be used as playground for the children. They, as do the Management Committee of CWSA: Krynysa, regard this as a basic need of the children residing at the DBCYCC and a serious failing in providing in the basic needs of these children.

It is thus with a view to achieving this very necessary requirement for the benefit of the children at the DBCYCC that the CWSA: Krynysa Management Committee herewith applies for the acquisition or lease of ERF 6289, which adjoins the property of the DBCYCC and which seems to be registered in the name of the Municipality.

"Umtwana wem ngumtwana wam & umtwana wakho ngumtwana wam"
Members of the Management Committee spoke to members of theSanta Church of Africa, whose church is located on Erf 67334 and adjoins the DHCYCC property on the opposite side, with the same view for utilization as a playground. However, this conversation was a long time ago and the Bishop of the church was reluctant to grant his property to DHCYCC unless another property could be found in exchange. As it is understood that the development of Heidelberg is not yet finalized, the opportunity to grant an Erf in this new suburb in exchange for Erf 67334 could resolve the wishes of the Bishop while meeting the requirement of children of DHCYCC.

The Management Committee would therefore express its earnest request for the Knysna Municipality to seriously consider their assistance in meeting the needs of the children of DHCYCC by granting approval for one or the other of the options mentioned.

Attached please find a supporting letter from the Board of the Dietrich F. Liedell Foundation.

Yours truly

[Signature]

B Davis
Treasurer: CWSA: Knysna Management Committee
6.11

G11/07/2020 REPORT BACK ON THE APPLICATION TO PURCHASE A PORTION OF ERF 214, (WHITE LOCATION) KNYSNA

REPORT FROM DIRECTOR : CORPORATE SERVICES

PURPOSE OF THE REPORT

To report back on the application to purchase a portion of Erf 214 (White Location), Knysna in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

BACKGROUND

Mr. Thami Johnson Duna wishes to purchase a portion of Erf 214, Knysna (See Annexure A). Mr. Duna wants to start a Tshisa Nyama on the corner of Mlungisi and Sisulu Street in White Location. On the 11th of February 2015 Mr. Duna, through his attorney of record, Logan Martin Inc Attorneys, applied to purchase/lease the portion in question as he was already using the portion in question for his container (See Annexure B).

Mr. Duna already started to build a building on the said property and was stopped by our Building Department. The building is already above window level high (See Annexure C).

PREVIOUS RESOLUTIONS

This matter served before the Municipal Council and a resolution was taken on the 29th of August 2019 that the Municipal Manager advertise the intended alienation of a portion of Erf 214, (White Location) Knysna. See Council resolution below:

CM22/08/19 APPLICATION TO PURCHASE A PORTION OF ERF 214, (WHITE LOCATION) KNYSNA

UNANIMOUSLY RESOLVED

[a] That the report and annexures regarding the application to purchase, a portion of Erf 214, (White Location) Knysna, be noted;

[b] That a site visit for the Mayoral Committee members and any other interested Councillors be arranged before the Ordinary Council meeting to be held on 29 August 2019;

[c] That in terms of Section 14(2)(b) of the Local Government : Municipal Finance Management Act, 2003, the Municipal Manager be instructed to appoint the Municipal Valuer, DDP Valuers to determine the fair market value of a portion of Erf 214, (White Location) Knysna, as applied for;

[d] That the Municipal Manager be instructed to advertise the intended alienation of a portion of Erf 214, (White Location) Knysna, and
That a further report be submitted to a following Governance and Economic Development Committee meeting after the advertising as mentioned in [d] above have been completed, which report must include comments from the Finance and Community Services Directorates.

File Number: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

As per the above mentioned Municipal Council Resolution, the following have been done:

a) A site visit arranged and conducted on the 28th of August 2019;
b) The Municipal Valuer, DDP Valuers provided the current market value (R30 000.00);
c) The intended alienation of a portion of Erf 214, (White Location) Knysna advertised on 10 October 2019 (See Annexure D); and
d) Comments requested from the Finance and Community Services Directorates.

The Municipal Valuer, DDP Valuers provided the current market value of the portion of Erf 214, (White Location) Knysna (See Annexure E).

No comments or objections was received from the advertisement placed.

No comments were received from the directorates.

DISCUSSION

The applicant applied to purchase a portion of Erf 214, Knysna.
Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) deals with disposal of capital assets of municipalities and reads as follows:

“14. Disposal of capital assets:

(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –

(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

(3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

(4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection 2(a) and (b) in respect of movable capital assets below a value determined by the council.
Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111…’’

The subject portion a portion of Erf 214, Knysna is not required to provide the minimum level of basic municipal services as this portion has been used by the applicant for a number of years. If the Municipal Council give the required in principle decision to alienate a portion of Erf 214, Knysna the Municipal Valuer, DDP Valuers, should be requested to provide the market value for a portion of Erf 214, Knysna. The alienation of a portion of Erf 214, Knysna must be fair, equitable, transparent, competitive and consistent with the supply chain management policy of the Municipality as required by the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).

The Knysna Municipality Supply Chain Management Policy 2018/19 approved by the Municipal Council on 6 June 2018 states the following with regards to “Disposal Management”;

“40. Disposal management
(1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;
(2) Assets may be disposed of by –
   (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
   (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
   (iii) selling the asset; or
   (iv) destroying the asset
   (3) The Accounting Officer must ensure that –
      (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
      (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
      (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
      (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
      (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;
      (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
      (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.”

The market related price to be determined by the Municipal Valuer will be the price at which the property is to be sold. This would also be the most advantageous process in terms of 40.(3)(b) of the SCM Policy, that the accounting officer must ensure the property be sold at.

Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:
“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –

[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

[b] the municipal council –

(i) has made the determinations required by section 14(2)(a) and (b); and

(ii) has a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset. If the combined value of any capital assets a municipality intends to transfer or dispose of in any financial year exceeds five per cent of the total value its assets, as determined from its latest available audited annual financial statements, subregulation (1)(a) must be complied with in relation to all the capital assets proposed to be transferred or disposed of during that year."

The Municipal Asset Transfer Regulations define “high value” as, “in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds any of the following amounts:

(a) R50 million;

(b) One per cent of the total value of the capital assets of the municipality or municipal entity, as determined from the latest available audited annual financial statements of the municipality or entity; or

An amount determined by resolution of the council of the municipality or of the parent municipality of the municipal entity which is less than (a) or (b).”

The remainder of Erf 214, is valued at R 17 000 000.00 on the Valuation roll for 2017/2022. The portion in question, the remainder of Erf 214 is being used by the applicant for a number of years, first as a storage container and now for the building of his building as a Tshisanyama.

The total value of the capital assets of Knysna Municipality for the financial year ended on 30 June 2017 is determined to be R 1 055 974 293. One per cent of R 1 055 974 293 is R 10 559 742.93. The property in question, the remainder Erf 214, Knysna is valued more than R 10 559 742.93, however, the portion of the remainder of Erf 214, as applied for is not valued more than R 10 559 742.93, thus subregulation (1)(a) [public participation process] of the Asset Transfer Regulations does not need to be complied with. It should be noted that this however did happen.

FINANCIAL IMPLICATIONS

This Municipal property must be alienated at a market related price as determined by the Municipal Valuer. There is no cost for the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

RELEVANT LEGISLATION

Local Government: Municipal Finance Management Act, 2003
Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations
Management of Immovable Property Policy
Knysna Municipality Supply Chain Management Policy
COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
For consideration by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
The utilisation of the portion of land will require land use approvals for the utilisation to be enabled and building control approvals will need to be obtained prior to the construction of any building on the property. This comment does not determine an outcome for any other statutory applications that the applicant has to pursue in line with a proposed purchase. Those applications will be assessed by the department on the relevant merits and with due consideration of the factors required for such assessments.

COMMENTS FROM LEGAL SERVICES
Recommendations are supported. The legal implications will set from the terms and conditions of the agreement.

COMMENTS FROM IHS
Noted

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report back on the application to purchase, a portion of Erf 214, (White Location) Knysna, be noted;

[b] That it be noted that the intended alienation of a portion of Erf 214, (White Location) Knysna was advertised for public comment/and/or objections, be noted;

[c] That it be noted no comments/objections was received during the public participation process;

[d] That it be noted that the fair market value of a portion of Erf 214, (White Location) Knysna as determined by the Municipal Valuer, DDP Valuers, in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, is R30 000.00;

That the applicant be responsible for all costs relating to the alienation of a portion of Erf 214, (White Location) Knysna;

[e] That the portion in question, not measuring more than 280m² be sold to Mr. Thami Duna at a value of R30 000.00;
That the Municipal Manager signs a sales agreement with the applicant, Mr. Thami Duna for the alienation of a portion of Erf 214, (White Location) Knysna, at the market value of R30 000.00 and

That the transfer agreement must be in terms of Section 17 of the Asset Transfer Regulations.

ANNEXURES

ANNEXURE A – Application letter from Mr. Thami Duna

ANNEXURE B – Application letter from Mr. Duna’s attorney

ANNEXURE C – Pictures of the building

ANNEXURE D – Advertising

ANNEXURE E – Current Market Valuation from DDP Valuers

File Number : 7/2/1/2
Execution : Acting Municipal Manager
            Director : Corporate Services
            Manager: Legal Services
Valuation Report

PROPERTY: A Proposed Portion of Erf 214 Knysna
REFERENCE No: DDPMUN2114
REPORT No: 01
DATE: 20 November 2019

Report prepared by: Comé Theron
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1. CONTACT DETAILS

<table>
<thead>
<tr>
<th>Name</th>
<th>Corne Theron</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Valuer</td>
</tr>
<tr>
<td>Organisation</td>
<td>DDP Values (Pty) Ltd</td>
</tr>
<tr>
<td>Address</td>
<td>Menlyn Square Office Park</td>
</tr>
<tr>
<td></td>
<td>North West Suite</td>
</tr>
<tr>
<td></td>
<td>1st Floor, East Block</td>
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<td></td>
<td>134 Aramist Avenue</td>
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<td>Menlyn, Pretoria</td>
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<td>0081</td>
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<tr>
<td>Phone</td>
<td>+27 (12) 369 9100</td>
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<td>Fax</td>
<td>+27 (12) 86 669 1817</td>
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<tr>
<td>Mobile</td>
<td>+27 (82) 459 5401</td>
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<tr>
<td>Email</td>
<td><a href="mailto:corre.theron@ddp.co.za">corre.theron@ddp.co.za</a></td>
</tr>
<tr>
<td>Website</td>
<td><a href="http://www.ddp.co.za">www.ddp.co.za</a></td>
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</table>

2. SUMMARY OF KEY FACTS

<table>
<thead>
<tr>
<th>Subject Property</th>
<th>An unregistered portion Erf 214 Knysna</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Type</td>
<td>Vacant</td>
</tr>
<tr>
<td>Effective Date Of Valuation</td>
<td>20 November 2019</td>
</tr>
<tr>
<td>Method Of Valuation</td>
<td>Comparable Sales Method</td>
</tr>
<tr>
<td>Report Number</td>
<td>01</td>
</tr>
<tr>
<td>DDP Reference Number</td>
<td>DDPMUN2114</td>
</tr>
<tr>
<td>Instructing Party</td>
<td>Renwill Hardnick, Knysna Local Municipality</td>
</tr>
<tr>
<td>Instructing Party Reference</td>
<td>N/A</td>
</tr>
<tr>
<td>Erf Extent</td>
<td>280 m²</td>
</tr>
</tbody>
</table>

3. INTRODUCTION

3.1. INSTRUCTION

DDP Valuers was instructed by Knysna Local Municipality as represented by Mr Renwill Hardnick to determine the market value of the subject property as described in this report.

3.2. PURPOSE OF VALUATION

The purpose of this valuation report is to determine the fair market value of the subject property as at the date of valuation.

3.3. METHOD OF VALUATION

The Sales Comparison Approach to value compares the subject property to similar properties that have sold under similar market conditions. The value indicated is established by comparing the subject property with similar properties, called comparable sales. Comparable sales are recent property transactions of property that were sold in accordance with the definition of market value.
The International Valuation Standards 2007 defines the sales comparison method as: “The comparative approach considers the sales of similar or substitute properties and related market data, and establishes value estimated by processes involving comparison. In general, a property being valued (subject property) is compared with sales of similar properties that have been transacted in the market.”

3.4. DEFINITION OF OPEN MARKET VALUE

The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

3.5. EFFECTIVE DATE OF VALUATION

20 October 2019

3.6. INFORMATION SOURCES

- Deeds Office Cape Town
- Chief Surveyor General
- Local Authority – Knysna Local Municipality
- Lightstone Property Transfers

4. DESCRIPTION OF IMPROVEMENTS

As per instruction from the client, this valuation excludes all improvements and only reflects a value allocated to the land portion of the subject property.

**This valuation excludes any improvements and reflects land value only.**
5. LOCATION

5.1. LOCATION

The subject property is comprising of a square shaped portion situated in the south-western Xolweni opposite erf 10149 Knysna in Sisulu Street.

Figure 1 Micro location
5.2. SITE DESCRIPTION

The subject property is comprising of a rectangular shaped portion and offers a fairly level elevation profile.
6. MARKET COMMENTARY

The most accurate method to determine an appropriate rate is through evidence produced by actual market transactions. This information is not always readily available, as there is an encumbrance of confidentiality of transactions, corporate transfers and lack of access which hamper the comparison process.

There are no registered property sales for the micro areas of Xolweni, Joodse Kamp or Concordia since 01 January 2018 up to date.

Although the suburb of Hornlee is located ±3 kilometers east from the subject property, the area is deemed more comparable to those offered by the subject property than closer suburbs e.g. Old Place and Costa Sarda.

There were 22 registered property sales found for the Hornlee area that occurred from 01 January 2018 to date. There are only one vacant land sale that can be utilised to determine a rate for the subject portion:

Comparable sale 1:

Selling rate = R330.25/m²
Historical comparable sales in the macro area investigated include:

**Comparable sale 2:**

<table>
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<tr>
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<td>Section #:</td>
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<tr>
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<tr>
<td>Last Sale Date:</td>
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<tr>
<td>Land Size (Registered):</td>
</tr>
<tr>
<td>Land Size (Cadastral):</td>
</tr>
<tr>
<td>Estimate Size Under Roof:</td>
</tr>
</tbody>
</table>

Selling rate = R211.76/m²

**Comparable sale 3:**

<table>
<thead>
<tr>
<th>Property Details</th>
</tr>
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<tr>
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<td>Land Size (Registered):</td>
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<tr>
<td>Land Size (Cadastral):</td>
</tr>
<tr>
<td>Estimate Size Under Roof:</td>
</tr>
</tbody>
</table>

Selling rate = R689.81/m²

Indicated rates:

- Comparable sale 1 = R330.25/m²
- Comparable sale 2 = R211.76/m²
- Comparable sale 3 = R689.81/m²

Average selling rate:  R410.00
7. **MOTIVATION**

For the purpose of this valuation the following will be considered in determining a market related rate for the subject properties:

- The location of the comparable sales compared to the location of the subject property;
- The typography, size, shape and accessibility of comparable sales compared to those offered by the subject property;
- The availability of municipal services;
- The availability of infrastructure in the direct vicinity;
- The subject property is an unregistered portion that forms part of the Knysna communal grounds and does not offer its own title deed or zoning;
- The availability of parking at the subject property and the comparable sales;
- The low number of registered property sales transactions in the micro area for the past three years; and
- The subject portion is most comparable to comparable sale two as listed given location and size.

8. **CONCLUSION**

Given the above the selling rate of comparable sale 2 will be adjusted with 50% to determine a rate for the subject property:

CALCULATION:

\[280 \text{m}^2 \times R105.88/\text{m}^2 = R29\,646.40\]

9. **VALUATION**

After due consideration of the comparable sales listed, the condition, size and location of the subject property, as well as the current market conditions, a valuation of \textbf{R30 000.00 (Thirty Thousand Rand Only)} is considered market related.

**CURRENT MARKET VALUE OF SUBJECT PROPERTY:**

\textbf{R30 000.00}

(Thirty Thousand Rand Only)
10. **CONDITIONS AND RECOMMENDATIONS**

The value as reflected in this report does not include any improvements and is for the land component of the subject property only.

**DECLARATION**

After taking due consideration of all the relevant factors I, Corné Theron, in my capacity as a Professional Valuer consider the above valuation to be a true reflection and a fair assessment of the subject property’s market value as at the date of valuation.

__________________________
E C THERON
*Professional Valuer (South Africa)*
SACPVP Reg. No.: 6831/4

DATE 21 November 2019
APPENDIX A: INSTRUCTION

Hi,

Attached herewith please find the information as required.

The valuations needed for the following:

- Portion of Erf 214, Knysna (1 500 m²). The application is for land only. The applicant is building a building to be used as a training centre.
- Portion of a portion of Erf 153, Knysna (1 500 m²). The applicant wants to build a dwelling unit on a portion of the purchased portion. Not for a servitude. They will register a servitude for access over a portion of their land.
- Portion of Erf 220, Knysna (1 500 m²). The application is for land only. The applicant wants to use the land for parking.
- Portion of Erf 215, Knysna (3 500 m²). The application is for land only. The applicant wants to farm the garden that he has inherited as a portion of Erf 213, Knysna.
- Portion of Erf 241, Sedgefield (1 500 m²). The application is for land only. The applicant wants to start cultivating food & medicinal crops on a portion of Erf 241, Sedgefield.

We need a few more valuations. Will it be possible for you to squeeze these in as well since you are here?

Thanks

Renwil Hardnick
Administrative Officer Properties
P.O. Box 21, Knysna 6501 Western Cape, South Africa
Tel: +27 (0) 44 382 0000 (main) or 382 0409 (direct)
Fax: +27 (0) 44 382 0402 e-mail: admin@knysna.gov.za
CAVEATS

1. FULL DISCLOSURE

This valuation has been prepared on the basis that full disclosure of all information and factors that could affect the valuation ('all relevant factors') have been made to us. We accept no liability or responsibility whatsoever for the valuation if it should transpire that a full disclosure of all relevant factors was not made.

2. THIRD PARTY INVOLVEMENT

Where reliance was placed on information supplied by third parties in undertaking the evaluation, we have assumed such information to be substantially correct. We accept no liability or responsibility whatsoever for the valuation if it should transpire that the information supplied was substantially incorrect.

3. VALUATION STANDARD

This valuation has been prepared in accordance with the International Valuation Standards Committee requirements as adopted by the South African Council for the Property Valuers Profession and the South African Institute of Valuers.

4. FREEHOLD PROPERTY

In the case of freehold properties we have inspected the relevant Title Deed documents when available. Whenever perusal of the Title Deed caused concern, we made specific reference to this in the Valuation Report. Where the Title Deeds were not available we have assumed that good title can be shown and that the property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoings.

5. MORTGAGE BONDS, LOANS OR OTHER CHARGES

The property has been valued as if wholly owned with no allowance made for any outstanding monies due in respect of mortgage bonds, loans or other charges. No deductions have been made in our valuation for the cost of acquisition, such as legal or transfer fees, or the costs involved in the disposal of the assets.

6. CALCULATION OF AREAS

Where the client (or his/her representative) has provided all surface areas quoted within the Valuation Report, we assume such surface areas have been calculated in accordance with the SAPOA standard method of measurement. Where a valuer on site measures the surface areas, the SAPOA standard method of measurement shall be employed.

7. PLANS

All plans included in the Valuation Report are supplied for the purpose of identification and orientation only and are not necessarily to scale.
8. PROPERTY BOUNDARIES

The farm or property boundaries, as indicated to the Valuer by the instructing client or his appointed agent, or the boundaries as indicated by plans supplied by the client, are assumed to be the legal extent of the property. Any variation of these boundaries by extension or omission, and the resultant inclusion or omission of any improvements because of this or these variations, cannot therefore be regarded as the responsibility of the Valuer. We accept no liability or responsibility whatsoever for the valuation should it transpire that any boundaries were incorrectly pointed out.

9. OUTGOINGS

It is assumed, except where otherwise stated, that the property is subject to the normal property owner’s outgoings and that there are no onerous restrictions or unusual covenants of which we have no knowledge. In preparing our valuation, we have formed our opinion of outgoings, having had reference to the various schedules of outgoings supplied by the client or a representative thereof.

10. STRUCTURAL CONDITION

The property has been valued in its existing state. In the event of its ownership or use changing in such a manner that the local authority will require the upgrading of the premises to comply with fire protection and other regulations, it may be necessary to reduce the valuation by the amount covering the cost of such compliance. We have had regard to the apparent state and condition of the property but have not carried out a structural survey, nor inspected those areas, which were covered, unexposed or inaccessible, neither have we arranged for the testing of electrical, heating or other services. The valuation assumes that the services and structures are in a satisfactory state of repair and condition, unless otherwise stated in our report. The valuation further assumes that the improvements have been erected in accordance with the relevant Building and Town Planning Regulations as well as the Local Authority by-laws. We have not inspected woodwork or other parts of the structure, and we are therefore unable to report that such parts of the property are free from rot, beetle or other defects. We have assumed that no deleterious or hazardous materials or techniques were used in the construction of the property nor have since been incorporated.

11. CONTAMINATION

Our valuation assumes that a formal environmental assessment is not provided and further that the property is not environmentally impaired nor contaminated, unless otherwise stated in our report.

12. VACANT LAND

No soil or substratum tests on the property have been undertaken and it is assumed that the property is suitable for the intended purpose, without having to provide excessive reinforcement to any structure built thereon.
13. **STATUTORY NOTICE AND UNLAWFUL USE**

We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

14. **INDIVIDUAL PROPERTIES**

The values reported are for the individual properties. No allowance is made for any premium, which may be applicable for an assembled portfolio of properties, nor is a discount allowed for any flooding of the market, which might exist if all, or a majority of the properties were offered for sale simultaneously.

15. **CONFIDENTIALITY**

This valuation is produced exclusively for the client and for the specific purposes to which it refers. It may be disclosed to other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

16. **NON-PUBLICATION**

Neither the whole nor any part of this valuation report or certificate, nor any reference thereto, may be included in any published document, circular or statement, nor published in any way without the written approval of the Valuer, as to the form or context in which it may appear and acknowledgement that the Valuer are professional valuers.

17. **INDEPENDENT VALUERS CLAUSE**

Neither the Valuer, nor any employee, have any present or contemplated interest in this or any other properties or any other interests, which could affect the statements or values, contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis by a valuer employed the Valuer, a company which specializes in valuation and which does not trade in these assets.

18. **VALUE ADDED TAX**

All figures quoted are exclusive of Value Added Tax.
APPLICATION TO PURCHASE MUNICIPAL OWNED LAND

Notice is hereby given in terms of the Local Government Municipal Asset Transfer Regulations that the Kuyasa Municipal Council received applications for the disposal and leasing of the following properties at a market related price:

- A portion of Ir1 214, White Location, Kuyasa (disposal);
- A portion of Portion 6 of the farm Hoogtebaai, Kuyasa (disposal);
- Ir1 19096, Dinnigwe Kuyasa (disposal);
- Ir1 121, Kanarita (disposal);
- A portion of Ir1 210, Union Street (lease);
- A portion of Ir1 2252, Homelites, Kuyasa (lease);
- Ir1 2461, Marigold Street, Sedgefield (lease);
- A portion of Ir1 3281, Homelites, Kuyasa (Homelites replacement clinic) (lease).

Any comments or objections may be submitted to Mr Renwill Hardrick on or before Thursday, 31 October 2019 via email to rhardrick@kuyasa.gov.za or kuyasa@kuyasa.gov.za

Additional information may be obtained from Mr Renwill Hardrick on tel. 044 302 6459 or via email to rhardrick@kuyasa.gov.za

Dr. S W Vatala
MUNICIPAL MANAGER

FANNY, MALAWIAN, is looking for domestic work. Call 065 657 5845

TO LET: 2 - 4 year lease! Super spacious 107m² first - floor apartment, 2 bed, 1 bath, large balcony plus lock-up garage. North-facing & quiet area. Views too. R7800pm. Non-smoking/no pets. Ph 083 736 7513

REPAIRS ON ALL BRANDS OF garden / forest and construction machinery – petrol, electrical. Kuyasa Industrial (opp Shell Lubricant). Ph 073 785 1387

LOVE GIFTS. Thank you Werkswinkel – we love your wooden baskets!

HOMEMADE MILKTARTS, Judge, lemon meringue and other treats available daily at eFishly Hooked at the entrance of Foodlivers Market. 044 382 0430

INNOCENT FROM MALAWI, with papers needs more days work – painting or gardening, has references. Ph 078 984 5503

THE FACE OF HOSPICE

Very sick children and those living with a life-threatening illness deserve the very best care possible. Yet, despite how relatively inexpensive it is to provide such children with palliative care, millions still suffer unnecessarily from unrelied pain and distress – particularly those who live in the developing world.

Fri 11 October 2019

"Hats on for children's palliative care" is an international day to raise awareness of the compassionate work of children's hospices and palliative care services in providing comfort, managing unrelied pain and suffering and helping children and their families to have a good quality of life and dignity when death occurs.

Wear a hat on Fri 11 Oct in honour of these children and stand with us and many across the globe to advocate for improved access to these compassionate services. You can also show your support by donating to the International Children’s Palliative Care Network at www.icpcn.org/donate-to-icpcn or to a local children’s hospice or palliative care organisation.

Kuyasa Sedgefield HOSPICE

KIA PREGIO 2.7 DIESEL 12 seater – 2002. Great condition, fantastic value. Finance available. Reduced to R59,900. Call Allan at 044 382 7494 or check it out at www.kuyasa.cars.co.za

YOUR HELPING HAND IN:

- Building of new swimming pools
- Renovation of swimming pools
- Shell installations
- Fiberglass / Marbalite
- Leak detection / Plumbing
- Tiling / Paving

SIW POOLS
Dear Sir

RE: THAMI DUNA

We act for Thami Duna.

Our instructions are that our client resides at 45 Sisulu Street, White Location, from where he has for a number of years been conducting a vehicle repair business. Our further instructions are that our client's tools and equipment have been stored in a container on the open ground on the corner of Sisulu and Mlungisi Streets, which container he placed on the property approximately 5 years ago and which he has openly used for storage purposes since then. Attached is an aerial photograph showing the position of the container.

Our client, whose only income comes from his repair business, is desirous of moving his business to the piece of land on which the container is situate and therefore enquires as to whether the Municipality will conclude a lease with him in respect of the land on which the container is situated plus a reasonable area surrounding same. If possible our client would like the lease to include an option to purchase the portion in due course.

We await your advice herein.

Yours faithfully

LOGAN - MARTIN INC.

per: G LOGAN

MUNICIPALITEIT / MUNICIPALITY
KNYSNA

2015 - 02- 1 6

Tel: +27 (0) 44 382 1115
Fax: +27 (0) 44 382 5582
E-Mail: Gerali@loganmartin.co.za

DIRECTORS:
Peter Martin B.A. (Law) (Barrister) • Gerald Logan & Lewis LLP • Delon Barrow, B.Com(Ret. & Ad) (South Africa)
• Jacques de Villiers B Proc (Dip. Auditing) • Office Manager: Annette Smit
ANNEXURE A

COLLS 073 1985000
45 Sikulu Street
White Location
Kasama
6570
25 March 2019

Kasama Municipality
Queen Street
Kasama
6570

To Whom It May Concern:

Dear Sir/Madam,

I hereby wish to apply for site which is situated on the corner of Mlungisi and Sikulu Street, White Location. I wish to apply for this piece of ground long time ago, the customer was also the purpose of store storage of tools and equipments.

I have built a house for the intention of Tsismu Nyanza, and the building is at window level and above, painting for the roof. My wish is to start before the Easter and wishing to close the ground.

I wish and await for your advice in this matter.

Yours faithfully,

[Signature]

25/03/2019
REPORT FROM ACTING MUNICIPAL MANAGER

PURPOSE OF THE REPORT

To report back on the request to the Municipal Council to consider approving the lease agreement for a portion of Erf 3281, (Hornlee) Knysna in terms of the Asset Transfer Regulations, 2008 and our Management of Immovable Property Policy.

BACKGROUND

The Western Cape Department of Transport and Public Works on behalf the Western Cape Department of Health have applied to lease the unused Hornlee Taxi Rank for a replacement clinic.

PREVIOUS RESOLUTIONS

This matter served before the Municipal Council on 29 November 2018 and again on 29 August 2019.

The Municipal Council on 29 November 2018 resolved the following:

**CMC19/10/18 HORNLEE REPLACEMENT CLINIC – ERF 3281, UNUSED TAXI RANK, HORNLEE**

**UNANIMOUSLY RESOLVED**

[a] That the report on the Hornlee replacement Clinic, Erf 3281, unused Taxi Rank, Hornlee, be accepted; and

[b] That permission be granted to the Acting Municipal Manager to proceed with negotiation to lease Erf 3281, Knysna to the Western Cape Department of Health to use as a clinic, subject to [c] below; and

[c] That the draft lease agreement be submitted to the Finance and Governance Committee once negotiated by the Acting Municipal Manager.

File Number: 9/1/2/5
Execution: Acting Municipal Manager

The Western Cape Department of Transport and Public Works have provided the Municipality with a draft lease agreement for approval by the Municipality (See Annexure A). The draft lease agreement is for a period of 99 years at a rental of R1.00 per month.

The Municipal Council resolved on the 29th of August 2019 that the Municipal Manager advertise the intended leasing of a portion of Erf 3281, (Hornlee) Knysna to The Western Cape Department of Transport and Public Works. See Council resolution below:
UNAM Thiết thđュ(4) RESOLVED

[a] That the report and annexure regarding the request for a lease agreement on a portion of Erf 3281, (Hornlee) Knysna by the applicant, be noted;

[b] That the proposed lease agreement, be noted;

[c] That the Municipal Manager be instructed to advertise the intended leasing of a portion of Erf 3281, (Hornlee) Knysna to The Western Cape Department of Transport and Public Works to use the unused Hornlee Taxi Rank as a replacement clinic; and

[d] That a further report be submitted to a following Governance and Economic Development Committee meeting after the advertising as mentioned in [c] above have been completed, which report must include comments from the Technical Services, Finance, Community Services and Planning and Development Directorates.

File Number: 7/2/2/1
Execution: Municipal Manager
Director: Corporate Services
Manager: Legal Services

As per the above mentioned Municipal Council Resolution, the following have been done:

a) The intended leasing of a portion of Erf 3281, (Hornlee) Knysna to The Western Cape Department of Transport and Public Works to use the unused Hornlee Taxi Rank as a replacement clinic advertised on 10 October 2019 (See Annexure B); and

b) Comments requested from the Technical Services, Finance, Community Services and Planning and Development Directorates.

Only one objection letter received from the Garden Route Taxi Association was received (See Annexure C). They are unhappy that the taxi rank allocated to them will now be used as a clinic.

The Director: Planning & Economic Development provided the following comment:

“There does not appear to be any environmental concerns. The utilisation of the portion of land will require land use approvals for the utilisation to be enabled and building control approvals will need to be obtained prior to the construction or demolition of any building on the property. This comment does not determine an outcome for any other statutory applications that the applicant has to pursue in line with a proposed purchase. Those applications will be assessed by the department on the relevant merits and with due consideration of the factors required for such assessments.”
DISCUSSION

The Western Cape Department of Transport and Public Works is, in terms of the Constitution, an organ of State. Section 239 Constitution of the Republic of South Africa, 1996, and read as follows:

“239. Organ of state

a) any department of state or administration in the national, provincial or local sphere of government; or
b) any other functionary or institution –
   i. exercising power or performing a function in the terms of the Constitution or a provincial constitution
   ii. exercising a public power or performing a public function in terms of any legislation,

Section 41 of the Asset Transfer Regulations 2008, deals with Granting of rights to use, control or manage municipal capital assets to organ of states and reads as follows:

“Granting of rights to use, control or manage municipal capital assets to be in accordance with disposal management system

41. The disposal management system of a municipality or municipal entity does not apply to the granting of a right to use, control or manage a capital asset if –
(a) ....
(b) ....
(c) ....
(d) .... or
(e) the right to use, control or manage that capital asset is granted to another organ of state in any other circumstance not provided in paragraph (a) to (d) provided that the capital asset is determined by resolution of the council of the municipality or of the parent municipality of the municipal entity to be surplus to the requirements of the municipality or entity.

(3) The municipality or municipal entity may negotiate directly with the private sector party or organ of state to whom the right to use, control or manage a capital asset referred to in subregulation (2)(a), (b), (c), (d) or (e) is to be granted.

(4) Before granting the right to use, control or manage a capital asset, the municipality or municipal entity must be satisfied that the private sector or organ of state to whom the right is to be granted can demonstrate the ability to adequately maintain and safeguard the asset.

The portion in question, a portion of Erf 3281, (Hornlee) Knysna is the unused Hornlee Taxi Rank. It should however be noted that the Garden Route Taxi Association is using the offices at the taxi rank. This property is thus deemed to be surplus to the requirement of the municipality and that is why Community Services took this item to the Municipal Council on 29 November 2018. Since the Western Cape Department of Transport and Public Works, is an organ of state, it is allowed that the Municipality may negotiate directly with the Western Cape Department of Transport and Public Works for the granting of rights to use, control or manage a portion of Erf 3281, (Hornlee) Knysna.

The Western Cape Department of Transport and Public Works is known to be capable to adequately maintain and safeguard a portion of Erf 3281, (Hornlee) Knysna to be used as the replacement clinic for Hornlee.
“Consideration of proposals to grant rights to use, control or manage municipal capital assets

36. The municipal council must, when considering in terms of regulation 34(1)(b) approval for any proposed granting of a right to use, control or manage a capital asset, take into account —

(a) whether the capital asset may be required for the municipality’s own use during the period for which the rights is to be granted;

(b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;

(c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality’s interests;

(d) any comments or representations on the proposed granting of the right received from the local community and other interested persons;

(e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury;

(f) the interests of any affected organ of state, the municipality’s own strategic, legal and economic interests and the interests of the local community; and

(g) compliance with legislative regime applicable to the proposed granting of the right.”

The Hornlee Taxi Rank have been unused from the day it have been completed and it is thus not foreseen that the portion of Erf 3281, (Hornlee) Knysna will be required for the municipality’s own use during the period for which the rights is to be granted.

The Western Cape Department of Transport and Public Works is proposing a monthly rental amount of R1.00. The current clinic in Hornlee is unsafe and a new clinic needs to be erected as soon as possible. A new clinic will be to the benefit of the residents of Hornlee and the property will be used.

Only the Garden Route Taxi Association commented during the advertising process.

The written views and recommendations were not requested from National Treasury and the relevant provincial treasury during the advertising process.

The Western Cape Department of Transport and Public Works, The Western Cape Department of Health will be positively be affected, and the municipality’s own strategic, legal and economic interests or the local community will not be negatively affected.

The application is tabled before the Municipal Council for the third time for an in principle approval that the right be granted and that all relevant legislation be complied with.

FINANCIAL IMPLICATIONS

There would be no negative financial impact on Knysna Municipality as the applicant will be liable for establishing a clinic on a portion of Erf 3281, (Hornlee) Knysna. All other incidental costs will be for the account of the applicant.
RELEVANT LEGISLATION

Local Government: Municipal Finance Management Act, 2003
Asset Transfer Regulations 2008
Knysna Municipality’s Management of Immovable Property Policy

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
For consideration by the Committee and recommend to the MayCo

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
The buildings have been significantly vandalised and in so much that the Garden Route Taxi Association will not be able to utilise it for an office. The building will require substantial repairs to get it to a habitable condition. The alienation to Department of Public Works for the relocation of Hornlee clinic is supported.

COMMENTS FROM PLANNING AND DEVELOPMENT
There does not appear to be any environmental concerns. The utilisation of the portion of land will require land use approvals for the utilisation to be enabled and building control approvals will need to be obtained prior to the construction or demolition of any building on the property. This comment does not determine an outcome for any other statutory applications that the applicant has to pursue in line with a proposed purchase. Those applications will be assessed by the department on the relevant merits and with due consideration of the factors required for such assessments.

COMMENTS FROM LEGAL SERVICES
Recommendations are supported The legal implications will stem from the agreement entered into.

COMMENTS FROM IHS
Noted

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report back on the application to lease a portion of Erf 3281, (Hornlee) Knysna, be noted;

[b] That it be noted that the intended leasing of a portion of Erf 3281, (Hornlee) Knysna was advertised for public comment/and/or objections;

[c] That it be noted that the Garden Route Taxi Association objected against the intended leasing of a portion of Erf 3281 (Hornlee) Knysna to The Western Cape Department of Transport and Public Works to use the unused Hornlee Taxi Rank as a replacement clinic, during the public participation process;
That the proposed lease agreement be **approved/not approved**;

That the Municipal Manager enters into a lease agreement with the Western Cape Department of Transport and Public Works for a portion of Erf 3281 (Hornlee) Knysna; and

**ANNEXURE**

**ANNEXURE A**  - Proposed lease agreement

**ANNEXURE B**  - Advertisement

**ANNEXURE C**  - Objection letter from Garden Route Taxi Association

File Number : 7/2/2/1

Execution: Acting Municipal Manager
Director Corporate Services
Manager: Legal Services
HORNLLE TAXI RANK

Die bogenoemde taxi organisasie wil net u meedeel dat ons geen kennis dra aangaande die nuwe verwikkelinge en besluite in verband met die Taxi Rank op die Hornlee Sportveld. Ons verstaan dat die entiteit huidiglik geadverteer word as ’n nuwe projek vir die kliniek.

Ons dra dus geen kennis hiervan en voel dat die Knysna Munisipaliteit dubbele standaarde toepas en die organisasie uitsluit in ’n besluitneming om die gebruik van die rank te verander. Ons vind dit baie onregverdig dat die Knysna Munisipaliteit die Hornlee Taxi rank, wat u aan ons toegesien het, nou skielik dit weer op ’n blinkse manier probeer afronkel.

Ons wil u ook in kennis stel dat ons alreeds vir Steven Langlands verwittig het dat die sekeriteitsbeampte wat op die perseel beskerming bied ook skielik verwyder was wat veroorsaak het dat daar vandalisme plaasvind en die spesifieke gedeelte waarin die beampte gehuisves was ook ingebreek was.

Indien die Munisipaliteit dus van besluitneming verander het moes ons, wie wettiglik toestemming gekry het vir die gebruik, eerste in kennis gestel gewees het. Ons vra daarom dat hierdie saak geondersoek word en sien of daar nie dalk iemand is, binne die Munisipaliteit, voordeel gaan trek hieruit of dalk ’n familielid.

By voorbaat dankie.

Voorsitter: Garden Route Taxi Assosiasie

A. River

30/10/2019
ANNEXURE A

LEASE AGREEMENT

1 PARTIES
The parties to this agreement are:

Knysna Municipality, being the party identified in item 1.1 of Schedule A herein represented by himself, he being duly authorised.

(hereinafter referred to as the "lessor");

and

the Western Cape Government via its Department of Transport and Public Works, herein represented by Shane Duane Hindley, (hereinafter referred to as the "lessee").

2 DEFINITIONS AND INTERPRETATION

2.1 In this agreement, unless the context indicates otherwise, the following words have the meaning assigned to them hereunder:

"adjustment date" – means the date referred to in item 8 on Schedule A on which date the escalated rate comes into effect;

"this agreement" – means the agreement set out in this document together with Schedule A, Schedule B, Schedule C, Schedule D thereto and any other schedules annexed thereto;

"building" – means the entire structure known by the name as set out in item 2.2 of Schedule A and situated on the property set out in item 2.4 of Schedule A;

"commencement date" – means the date stipulated in item 7 on Schedule A on which date the lease commences;

"commencement rental" – means the rental payable at the commencement of the lease as is stipulated in Schedule B;
“day” – means any day other than a Saturday, Sunday or official public holiday in the Republic of South Africa;

“escalation rate” – means the percentage mentioned in item 9 on Schedule A, which adjusts the rental on every adjustment date;

“expenses” – means those disbursements in respect of the premises which are occasioned by the ownership or the operation thereof, including but not limited to, assessment rates, municipal levies, air-conditioning maintenance, lift maintenance and insurance premiums;

“GCC” – means the General Conditions of Contract, as amended from time to time, issued by the National Treasury of the Government of the Republic of South Africa for purposes of goods and services procurement;

“initial lease period” – means the initial period of the lease, as set out in item 3 of Schedule A;

“lessee” – means the Government of the Western Cape, (herein represented by the Head of Component: Immovable Asset Management in the Department of Transport and Public Works (or his duly authorised delegate) its successor-in-title and/or its duly authorised employees, agents, intermediaries, representatives and if and to the extent applicable, shall extend to the invitees;

“lessor” – means the party identified in item 1.1 of Schedule A (herein represented by the person identified in item 1.1.4 of Schedule A who by his/her signature hereto warrants that she/he is authorised to sign this agreement on behalf of the lessor), its successor-in-title and/or its duly authorised employees, agents, intermediaries and/or representatives;

“occupant” – the body defined in item 1.2 of Schedule A, being the body which will physically occupy the premises for the duration of the agreement of the lease;

“party / parties” – means the lessee, and the lessor or any of them as determined by the context;

“premises” – means the building and/or the structure and/or the land, or portions thereof, as set out in item 2.1 of Schedule A and a plan of which is attached as Schedule D, which forms the subject of this agreement;
"repairs" – means everything which is required to be done in order to achieve the same
goal as that envisaged in the definition of "maintenance", but which requires more labour
and more expense than maintenance, such as the replacement of cables, taps, locks,
floor tiles, geysers and the like. The parties are agreed that normal wear and tear can
through time require repairs;

"secondary lease period" – means the period mentioned in Item 4 of Schedule A, for which
this agreement may be extended by the lessor or the lessee from the date on which the
initial lease period expires;

"signature date" – means the date of signature of this agreement by the party which signs
last in time;

"termination date" – means the date stipulated in Item 10 of Schedule A on which the lease
terminates, unless extended for the secondary lease period, as more fully detailed in
clause 4 hereof;

"VAT" – means Value-Added Tax in terms of the VAT Act; and

"VAT Act" – means the Value-Added Tax Act (No. 89 of 1991), together with all
amendments thereto and all regulations published thereunder from time to time:

2.2 The clause headings of this agreement have been inserted for reference purposes only
and shall not be taken into account in its interpretation. Unless the context indicates
otherwise, words importing the singular shall include the plural, words importing persons
shall include natural persons and created entities and the state and vice versa;

2.3 If a provision in a definition is a substantive provision conferring rights or imposing
obligations on any party, effect shall be given to it as if it were a substantive provision in
the body of the agreement, notwithstanding that it is in the definitions clause.

2.4 Any reference to an enactment, regulation, rule or by-law is to that enactment, regulation,
rule or by-law as at the signature date, and as amended or replaced from time to time.

2.5 Where any number of days is prescribed, such number shall exclude the first and include
the last day, unless the last day falls on a Saturday, Sunday or public holiday in the Republic
of South Africa, in which case the last day shall be the next succeeding day which is not
a Saturday, Sunday or public holiday.
2.6 The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording succeeding it and the eiusdem generis rule shall not be applied in the interpretation of such general wording or such specific example/s.

2.7 The expiration or termination of this agreement shall not affect those provisions of this agreement which expressly provide that they will operate after any such expiration or termination or which of necessity must continue to have effect after such expiration or termination, notwithstanding the fact that the clauses themselves do not expressly provide this.

2.8 In its interpretation, the contra proferentem rule of construction shall not apply (this agreement being the product of negotiations between the parties) nor shall this agreement be construed in favour of or against any party by reason of the extent to which any party or its professional advisors participated in the preparation of this agreement.

3 THE LEASE

The lessor hereby leases the premises to the lessee who hires the premises on the terms and conditions set out in this agreement, for occupation by the occupant, it being specifically recorded and notwithstanding anything to the contrary contained in this agreement, that the only persons who are mandated to negotiate, enter into, amend or otherwise agree the terms and conditions of this agreement are the lessor and lessee provided that any terms and conditions which are specifically exercisable by the occupant in terms of this agreement, shall be so exercisable despite this clause 3.

4 DURATION AND RENEWAL

4.1 This agreement shall commence on the commencement date and shall endure for the period as specified in item 3 of Schedule A as the initial lease period.
4.2 Upon the expiry of the initial lease period, the lessee shall have the option of renewing this agreement for an additional period as specified in item 4 of Schedule A as the secondary lease period upon the terms and conditions contained in this agreement provided that in respect of rental payable from the date on which the secondary lease period commences ("the renewal date"); the parties will agree on a market related rental for the premises. The annual escalation rate applicable during the secondary lease period shall be limited to headline inflation or the escalation rate applicable during the initial lease period, whichever is the greater;

4.3 The lessee shall give written notice to the lessor of its intention to exercise the option to renew this agreement (referred to in clause 0 above) by no later than 3 months prior to the expiry of the initial lease period. Should the lessee fail to so exercise the option and the lessee remains in occupation of the premises after the expiry of the initial period or where the option is exercised and the lessee remains in occupation of the premises after expiry of the secondary lease period, this agreement shall continue on a month to month basis on the same terms contained in the Agreement but subject to escalations in the rental until such time as either of the parties gives the other a written notice terminating this agreement, in which event, this agreement shall terminate at the end of the month following the month in which the notice was given.

4.4 All extensions to the lease period in this agreement, and any changes to the terms and conditions of lease during such extended period, shall be concluded in writing and signed by the parties prior to the termination date or expiry of any extended period, as the case may be.

5 THE RENTAL

5.1 During the initial lease period, with effect from the commencement date, the monthly rental payable by the lessee to the lessor shall be as specified in Schedule B.

5.2 The lease commences with the commencement rental.

5.3 The rental shall be paid by the lessee to the lessor, monthly in advance on or before the 7th (seventh) day of each and every month.

5.4 All payments made by the lessee to the lessor in terms of this agreement, shall be effected by electronic payment directly into the lessor's nominated bank account.
5.5 The parties agree that all rentals payable in terms of this agreement shall include VAT where such tax is payable. The lessor shall specify such tax for record and tax purposes separately from the basic rental.

5.6 The lessee undertakes to pay all VAT, at the standard rate applicable from time to time, leviable on any amounts payable by the lessee in terms of this agreement.

5.7 The lessor shall be liable to pay all rates, taxes, other regulatory amounts and levies in respect of the premises to the relevant authority as well as any expenses and increases.

6 USE OF THE PREMISES

6.1 The lessee records that it will use the premises for the purpose specified in item 5 of Schedule A and for any legitimate Government purpose. Where the lessee uses the premises for a purpose other than its intended purpose, the onus shall rest on the lessee to obtain and maintain all necessary permits and/or consents for the use of the premises for that purpose.

6.2 The lessor hereby warrants and undertakes that the premises are fit for use for the purpose set out in item 5 of Schedule A.

6.3 The lessor shall be obliged to obtain such consents and authorisations (excluding trade and other licences) as may be required by competent authorities or title conditions to enable the lessee to use the premises for the purpose referred to in 6.1.

7 OCCUPATION OF THE PREMISES

The lessor warrants the lessee’s right to free and undisturbed possession of the premises from the commencement date until termination of this agreement, subject thereto that any delay in taking possession due to avoidable actions or omissions of the lessee, shall not be regarded as a delay on the part of the lessor. The date of occupation shall be the date on which the lessee occupies the premises, which shall also be the date of commencement of the lease.
8 CONDITION OF THE PREMISES AT THE COMMENCEMENT DATE AND AT THE TERMINATION DATE

Schedule C contains details of the work required by the lessee, the party responsible for effecting those work and the party who bears the costs in respect thereof.

9 EXPENSES, MAINTENANCE AND REPAIRS

9.1 The lessee shall be responsible for and pay all and any expenses in respect of the premises.

9.2 The lessee shall be responsible for contracting with the suppliers of utilities to the premises and shall be directly responsible for payment of these charges and any connection fees and deposits in respect thereof.

9.3 The lessee shall be responsible for and will pay the cost of all electricity, water and/or sewerage consumed on the premises for the duration of this agreement. Electricity and/or water and/or sewerage consumed shall be charged according to the relevant meter reading, provided that the consumption of water, electricity and sewerage in the premises shall be proved prima facie by reading of meters or sub-meters and recording same.

9.4 In the event of the premises being a portion of a property and it consequently being necessary to determine the lessee's pro rata share in respect of consumption of necessary services, the pro rata share of the lessee, for the purpose of this agreement, shall be determined by calculating the area of the premises as a fraction of the total area of the building.

10 OBLIGATIONS OF THE LESSOR

In addition to any other obligations contained in this agreement, the lessor shall be responsible for:

10.1 Municipal rates (existing and future) levied on ownership (including rates increases);

11 OBLIGATIONS OF THE LESSEE

In addition to any other obligations contained in this agreement, the lessee shall:
11.1 Not use the premises or allow them to be used, in whole or part, for any purpose other than that stated in Schedule A;

11.2 Be responsible for all reasonable security, manned or otherwise, necessary to protect the premises;

11.3 Not cause or commit any unreasonable nuisance on the premises or cause any annoyance or discomfort to neighbours or the public;

11.4 Not unreasonably leave refuse or allow it to accumulate in or about the premises;

11.5 Refrain from interfering with any installations or systems serving the premises;

11.6 Take all reasonable measures to prevent blockages and obstructions from occurring in drains, sewerage pipes and water pipes serving the premises;

11.7 At all times comply with any law, by-law or regulation of the local authority relating to the conduct of its business at the premises and also with the conditions of the title deed under which the premises are held by the lessor;

11.8 Not be permitted to place such electrical or other signage on the exterior of the premises without the prior written consent of the lessor;

11.9 Forthwith disclose in writing to the lessor details of any act, matter or thing, stored or carried out upon the premises which may affect, vitiate or endanger the fire policy in respect of the property;

11.10 Be responsible for the costs of water, electricity and sewerage consumption to the extent that these are separately metered; and

11.11 Be responsible for the costs of refuse removal and sanitary services.
12 VACANT OCCUPATION

12.1 The Lessee retains the right to cancel this Lease if it is unable, for whatever reason, to obtain vacant occupation from the Lessor within a period of seven Business Days after the Commencement Date. In such an event the Lessee will not be responsible for any damages due or incidental to the cancellation of the Lease.

12.2 The Lessor will not be liable for any claim in respect of any damages whatsoever which the Lessee may suffer if the Lessee cannot take possession of and exercise control over the Lease Area due to any cause beyond the control of the Lessor.

13 FIRE FIGHTING EQUIPMENT AND LIFTS

13.1 The Lessor shall be obliged to install, maintain and operate on the premises fire extinguishing and fire detection equipment complying with the National Building Regulations and Building Standards Act (Act No. 103 of 1977) as amended, and/or any other applicable legislation.

13.2 The Lessor shall be obliged to maintain the lifts and ensure that regular checks are done in accordance with the Occupational Health and Safety Act (Act No. 85 of 1993) as amended and/or any other applicable legislation.

13.3 The Lessor shall provide the Lessee with quarterly reports of regular checks done on the fire extinguishers and lifts to ensure safety and security of the occupants of the premises.

14 ALTERATIONS, ADDITIONS AND IMPROVEMENTS

14.1 The Lessee shall not make any alterations or additions to any of the buildings, the premises or any part thereof, without the Lessor’s prior written consent, but the Lessor shall not withhold its consent unreasonably to any such alteration or addition. In the event that the Lessee does make any such prohibited alterations or additions, it is agreed between the parties that such alterations and/or additions shall become an immovable part of the respective building or premises to which it is made and shall thus become the property of the Lessor who shall not be obliged to compensate the Lessee in respect of such alterations and/or additions. Where the Lessor has given its prior written consent to any alteration or addition and such alteration or addition has become an immovable part of the building or premises and has added value to the building or premises, the Lessor shall be obliged to compensate the Lessee in respect thereof, unless otherwise agreed between the parties prior to such alteration or addition being made.
15 DAMAGE TO OR DESTRUCTION OF THE PREMISES

15.1 In the event of the premises being destroyed and therefore rendered totally unfit for occupation, this agreement shall be terminated automatically unless the destruction of the premises is due to the willful intent or negligence of the lessee and/or occupant.

15.2 In the event of the premises being damaged and remaining partially suitable for the purposes of the lessee, the parties shall be entitled to terminate this agreement by thirty (30) days’ notice in writing given to the other party within thirty (30) days after such destruction or damage unless the destruction of the premises is due to the willful intent or negligence of the lessee and/or occupant in which case only the lessor shall be entitled to terminate this agreement as directed above.

15.3 Should no notice in terms of 0 above be given, then this agreement shall continue and the lessor shall be obliged to proceed expeditiously with the work of rebuilding the premises. Should the parties continue with the agreement, the lessee shall be entitled to a reduction in rental to the extent to which the lessee is deprived of the full and beneficial use and occupation of the premises until such time as the premises have been rebuilt or re-instated provided that the damage or destruction is not due to the willful intent or negligence of the lessee and/or occupant in which case the lessee shall not be entitled to a reduction in rental as contemplated herein and shall remain liable for the full rental.

15.4 Should there be any dispute as to the extent to which the premises have been damaged and/or the extent to which the premises are unfit for occupation and capable of being used for the purpose for which they are let, the dispute shall be referred to an expert, who shall act as an expert and not as an arbitrator, and whose decision shall be final and binding on the parties. The parties shall jointly agree on who the expert shall be, failing which the expert shall be appointed by the chairperson of the Law Society of South Africa or his delegate.

16 BREACH

16.1 Subject to any specific provision in this agreement to the contrary, should the rental or any other amount payable by the lessee in terms of this agreement not be paid by due date and the lessee fail to pay such rental within 14 (fourteen) days after receipt of written notice by the lessor requiring it to do so, or such longer period as may be reasonable in the circumstances; subject to due process of law; the lessor shall be entitled to claim specific performance, cancel this agreement and retake possession of the premises (without prejudice to any of its other rights under this agreement or at all) and/or claim damages.
16.2 In addition to the lessor’s rights contained in 17.1 above, should either party breach any other obligations in terms of this agreement and fail to remedy such breach within 14 (fourteen) days of written demand from the aggrieved party to do so, or such longer period as may be reasonable in the circumstances, the aggrieved party shall be entitled to cancel this agreement or claim specific performance, in either case, without prejudice to the aggrieved party’s rights to claim damages from the offending party.

17 MANAGEMENT RULES

The lessee shall comply with all management rules as may be prescribed by the lessor from time to time provided that they are fair, reasonable and justifiable.

18 LESSORS RIGHT OF ENTRY AND CARRYING OUT OF WORKS

The lessor’s representatives, agents, servants and contractors may at reasonable times and on reasonable notice (save for the in the event of an emergency), without thereby giving rise to any claim or right of action on the part of the lessee or the occupant of the property or any part thereof, enter the property or any of the buildings in order to inspect them, to carry out any necessary repairs, replacements, or other works, or to perform any other lawful function in the bona fide interests of the lessor or the lessee or the occupant, but the lessor shall ensure that this right is exercised with due regard for and a minimum of interference with the beneficial enjoyment of the property by those in occupation thereof, and provided further that such rights will be exercised subject to the lessee’s specific security requirements relating to the physical security of the property.

19 CESSION, ASSIGNMENT AND SUB-LETTING

The lessee shall not, except with the prior written consent of the lessor, which shall not be unreasonably withheld:

19.1 cede or assign all or any of the rights and obligations of the lessee under this agreement; or

19.2 sublet the premises in whole or in part; or

19.3 give up possession of the premises or any portion thereof to any third party.
20 NON-WAIVER

20.1 Neither party shall be regarded as having waived, or been precluded in any way from exercising, any right under or arising from this agreement by reason of such party having at any time granted any extension of time for or having shown any indulgence to the other party with reference to any payment or performance hereunder, or having failed to enforce, or delayed in the enforcement of any right of action against the other party.

20.2 The failure of either party to comply with any non-material provision of this agreement shall not excuse the other parties from performing their obligations hereunder fully and timeously.

21 DOMICILIUM CITANDI ET EXECUTANDI

21.1 The parties respectively choose as domicilium citandi et executandi and as the address for the serving of notices the address appearing underneath their names in Schedule A (and the lessor is explicitly barred from serving such notices on officials and offices in the Regions/Provinces).

21.2 Any notice given by one of the parties to the other ("the addressee") which:

21.2.1 is delivered by hand to a responsible person during ordinary business hours at the physical address chosen as the addressee’s domicilium citandi et executandi shall be deemed to have been received by the addressee on the date of the delivery, unless the contrary is proved;

21.2.2 is posted by prepaid registered post from an address within the Republic of South Africa to the addressee at the addressee’s domicilium citandi et executandi, shall be deemed to have been received by the addressee on the tenth (10th) business day of the date of posting unless the contrary is proved; or

21.2.3 is faxed to the chosen fax number, during ordinary business hours shall be presumed to have been received by the addressee at the time of transmission of the fax, alternatively, if not faxed during normal business hours then at twelve o’ clock on the 1st business day following the day on which it was faxed.

21.3 Either party shall be entitled, on 14 days’ notice to the other, to change the address of his domicilium citandi et executandi.
22 WARRANT OF AUTHORITY

The parties hereby warrant that each of them has the power, authority and legal right to sign and perform this agreement and that this agreement has been duly authorised by all necessary actions of its directors, to the extent applicable, and constitutes a valid and binding obligation on it in accordance with the terms thereof.

23 SEVERABILITY

Any provision in this agreement which is or may become illegal, invalid or unenforceable in any jurisdiction affected by this agreement shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability and shall be treated pro non scripto and severed from the balance of this agreement, without invalidating the remaining provisions of this agreement or affecting the validity or enforceability of such provision in any other jurisdiction.

24 WHOLE AGREEMENT

24.1 This is the entire agreement between the parties.

24.2 Neither party relies, in entering into this agreement, on any warranties, representations, disclosures or expressions of opinion, which have not been incorporated into this agreement as warranties or undertakings.
24.3 No variation, alteration, or consensual cancellation of this agreement shall be of any force or effect unless reduced to writing and signed by the duly authorised representatives of both parties.

SIGNED AT.............................................. ON THIS THE .............DAY OF...................................... 20.....

WITNESSES

1. ...................................................... 2. ......................................................
   FULL NAME AND SIGNATURE            FULL NAME AND SIGNATURE

............................................................
SIGNATURE OF LESSOR / REPRESENTATIVE

............................................................
FULL NAME

SIGNED AT.............................................. ON THIS THE .............DAY OF...................................... 20.....

WITNESSES

1. ...................................................... 2. ......................................................
   FULL NAME AND SIGNATURE            FULL NAME AND SIGNATURE

............................................................
SIGNATURE OF LESSEE

............................................................
FULL NAME

............................................................
CAPACITY
1. **The Parties:**
   1.1 The Lessor is: Krynica Municipality
      
      1.1.1 Registration nr (company) or ID nr (individual): 670304 5721 08.4
      
      1.1.2 VAT reg nr: 4369193876
      
      1.1.3 Domicilium Citandi et executionis:
      5 Clyde Street
      Krynica
      6570
      
      1.1.4 Herein represented by:
      Dr Sibembele Wiseman Vatala, The Municipal Manager, Krynica Municipality
      who hereby warrants he/she is duly authorised to do so by the attached resolution.
      Hereinafter referred to as the lessor.
      
      1.1.5 Contact person/representative:
      Name: Sibembele Wiseman Vatala
      Tel nr: 0449026455
      Company: Krynica Municipality
      Fax nr: 0868200402
      E-mail: krynica@krynica.gov.zg
      Postal address: P.O. Box 21, Krynica, 6570
      
      1.2 The occupant is: WCG: Department of Health
      
      Herein represented by:
      Dr Laura Angelotti-Du Toit
      who hereby warrants he/she is duly authorised to do so by the attached resolution.
      Hereinafter referred to as the occupant.
      
      1.3 The Lessee is: WCG: Department of Transport and Public Works
      
      Domicilium Citandi et executionis:
      9 Dorp Street, Cape Town
      
      2. **The Premises leased:**
      
      2.1 The Premises:
      
      Portion of Erf 3281, Krynica (c/o Vigilant Drive and Stroebel Street)
      as reflected on the diagram annexed hereto marked “Schedule D”
      
      2.2 The Building name:
      Former Taxi Rank, Honlee
      
      2.3 The Building address:
      Portion of Erf 3281, Krynica (c/o Vigilant Drive and Stroebel Street)
      
      2.4 The property:
      Portion of Erf 3281, Krynica (c/o Vigilant Drive and Stroebel Street)
**Lease period**

**Renewal period**

**Use of premises**

**The lessee’s pro rata share**

**Commencement date**

**Adjustment date**

**Escalation rate (%)**

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<th>Description</th>
<th>On: Rental</th>
<th>Operating costs</th>
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</tr>
<tr>
<td>Covered Parking</td>
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**Termination date**

**Special conditions**

In terms of the Revenue Act and the PEPA all suppliers conducting business with the store are required to provide a valid Tax Clearance Certificate. Therefore, should the Landlord be unable to meet this requirement:

1. The Landlord shall be given a period not exceeding six (6) months from date of signature to regularise their tax affairs with the South African Revenue Services (SARS).
2. If this period lapses before the tax clearance certificate is obtained, DPW will have the right to terminate the agreement.
3. DPW and its Client Department (tenant) must have the right to remain in the leased building until the alternative accommodation can be provided.
6.13

G13/07/2020 QUARTERLY REPORT ON LEGAL MATTERS: QUARTER 3 OF 2019/2020

REPORT FROM THE DIRECTOR CORPORATE SERVICES

PURPOSE OF THE REPORT

To report to the Committee on the status of legal matters for the third quarter of 2019/2020.

PREVIOUS RESOLUTIONS

BACKGROUND

The tables below give an account of the legal activities for the 3rd quarter, starting from 1 January 2020 – 31 March 2020.

DISCUSSION

The tables below give an account of the legal activities for the 3rd quarter, starting from 1 January 2020 – 31 March 2020.

D39 KPI: TO PROVIDE LEGAL OPINION/S, INPUT ON POLICIES, LEGISLATION, ITEMS TO COUNCIL AND ITS COMMITTEES AND ALL OTHER MATTERS WITH LEGAL IMPACT

Unit Measurement - % of legal opinions finalised within 7 working days

All legal opinion sought provided within the determined time frame, either verbally in meetings, during consultations, telephonically, via e-mail or formal written opinions.

D40 KPI: CONTRACTS DRAFTED, REVIEWED OR EDITED

Unit Measurement - % of legal opinions finalised within 7 working days

All contract drafted, reviewed or edited within the determined time frame.

January 2020:

- Reviewed: 2nd Defendants Reply to Notice: Bruwer // KM

February 2020:

- Reviewed: Service Level Agreement: GAPP Management // KM.
- Reviewed: Costing Analysis – GAPP Management // KM.
- Reviewed: Nedbank Overdraft Facility Agreement.
- Reviewed: Settlement Agreement – Linda Matthys // KM.
March 2020:

- Reviewed: Addendum – East Head Café Lease.
- Reviewed: CPW Application – TRP Project.
- Drafted: Confidentiality Agreements: JOC

<table>
<thead>
<tr>
<th>D41 KPI: TO DEAL WITH ALL APPEALS AND OBJECTIONS RECEIVED AGAINST THE TENDER AWARDING PROCESS</th>
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<tbody>
<tr>
<td>Unit Measurement: % of appeals and objection finalised within 7 working days</td>
</tr>
<tr>
<td>Details of Appeal</td>
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<tr>
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<td>T 16/2019/2020</td>
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<th>D42 KPI: PERCENTAGE OF SIGNED SALE AGREEMENTS SUBMITTED TO CONVEYANCERS TO EFFECT TRANSFER</th>
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<tr>
<td>Unit Measurement: % signed sale agreements submitted to conveyancers</td>
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<tr>
<td>Number of Contracts Allocated</td>
</tr>
<tr>
<td>1 January 2020 – 31 March 2020 = 307 instructions to conveyancers</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D43: ANNUAL REVIEW OF MUNICIPAL BY-LAWS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit Measurement: Submit municipal by-laws to council for consideration</td>
</tr>
<tr>
<td>Roads &amp; Traffic By-law</td>
</tr>
<tr>
<td>Internal Review: October 2017 – In progress</td>
</tr>
<tr>
<td>Review Process/Status:</td>
</tr>
<tr>
<td>An item on the review of the by-law served at the Ordinary Council meeting held on 28 May 2020. The item was referred to the next Ordinary Council meeting.</td>
</tr>
<tr>
<td>Zoning Scheme By-law</td>
</tr>
<tr>
<td>Internal Review: July 2018 – In progress</td>
</tr>
<tr>
<td>Review Process/Status:</td>
</tr>
<tr>
<td>The by-law was advertised for public comment with the closing date being 22 May 2020. The relevant user department will submit an item on the review to the next S80 committee.</td>
</tr>
</tbody>
</table>
Internal Review: July 2018 – In progress
Review Process/Status:
An updated item will serve at the next section 80 meeting.

Land Use Planning By-law
Internal Review: Sept 2019– In progress
Review Process/Status:
The by-law is currently being reviewed. An item will serve at the relevant section 80 as soon as the internal review is done.

Outoor Advertising, Heritage & Building Aesthetics
Internal Review: Sept 2019– In progress
Review Process/Status:
The by-law is currently being reviewed. An item will serve at the relevant section 80 as soon as the internal review is done.

OTHER KPI’S REPORTED ON
COURT PLEADINGS / ORDERS ROUTED INTERNALLY

<table>
<thead>
<tr>
<th>Department</th>
<th>Court pleading / orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Court pleadings routed to relevant officials</td>
<td>• 1st Respondent Affidavit – Ambrose Trading // KM</td>
</tr>
<tr>
<td>Evictions: Manager: IHS &amp; Dir: IHS; Warrants of Execution: Accountant: Credit Control &amp; Debt Collection; Manager: Income</td>
<td>• Notice of Motion: MEC // Phillips // KM</td>
</tr>
<tr>
<td>All new litigation matters routed to relevant officials and the MM</td>
<td>• Claasen NO // KM – Draft Order.</td>
</tr>
<tr>
<td></td>
<td>• Supplementary Affidavit: Ambrose Trading // KM</td>
</tr>
<tr>
<td></td>
<td>• Roux // Milford // KM – Eviction Proceedings</td>
</tr>
<tr>
<td></td>
<td>• Mediation Proceedings: Williams // KM</td>
</tr>
<tr>
<td></td>
<td>• Standard Bank // Lopaka: Attachment Order</td>
</tr>
<tr>
<td></td>
<td>• Delmeer Factories // Roberts – Eviction Proceedings</td>
</tr>
<tr>
<td></td>
<td>• FNB // KM – Writ of Execution of Property</td>
</tr>
</tbody>
</table>

CURRENT LITIGATION MATTERS

1. KNYSNA MUNICIPALITY & ROAD ACCIDENT FUND // PHILLIPUS BRUWER
Commencement Date | Legal Costs | Spend to date |
Harker Attorneys | | R 581 175, 27 |
October 2013 | | |

Status update – Where we are in the process & the way forward

Status quo remains. We still await the new appointed trial date. We are in the process of rescheduling an inspection in loco with our reconstruction specialist.

2. KNYSNA MUNICIPALITY // CORNUTI’S RISTORANTE
Commencement Date | Legal Costs | Spend to date |
Logan Martin Inc. | | R 669 878.86 of which R 207 697.99 was in respect of advocate fees |
June 2013 | | |
### Status update – Where we are in the process & the way forward

The Municipal Council on 29 March 2019 resolved as follows:

- **a)** That the content of the report on the lease of Cornuti Ristorante, be noted; and
- **b)** That a comprehensive investigative report regarding the recovery of service charges and subsequent legal expenditure due to possible negligence, be submitted by the internal auditors to the Finance Committee in April 2019.

We await above-mentioned report.

### 3. GARTH BOCK // KNYSNA MUNICIPALITY

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosdell, Pama &amp; Cox April 2014</td>
<td>R 71 176.49</td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

*Status quo remain.* Correspondence has been addressed to the plaintiff’s attorney advising on the dormant nature of this matter and we enquired whether the plaintiff wishes to proceed with this matter or whether it will be withdrawn. We still await responses herein.

### 4. REINHARD ROTTER // KNYSNA MUNICIPALITY

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs for Reporting Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosdell, Pama 7 Cox March 2016</td>
<td>R 21 157.50</td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

*Status quo remain.* Correspondence has been addressed to the plaintiff’s attorney advising on the dormant nature of this matter and we enquired whether the plaintiff wishes to proceed with this matter or whether it will be withdrawn. We have not yet received a response.

### 5. THABO MABULA // KNYSNA MUNICIPALITY (VARIOUS MATTERS)

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harker Attorneys November 2016</td>
<td>R 402 194.59 (on all 6 Mabula matters)</td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

- **Case No: 21933/16**
  *Status Quo remain* - The file is pending since the defendant did not attend to the necessary to proceed to obtain a trial date.

- **Case No: 21934/16**
  *Status Quo remain.* The Sheriff attempted attachment and execution of the warrant at Mr Mabula's Knysna address and was advised that he left the address. Our attorney of record gave the Sheriff the instruction to attach the property of Mr Mabula in light of the fact that the parties are married in community of property (Mabula and his wife). We await the Sheriff’s return of service in respect of said instruction.

- **Case No: 21935/16**
Status Quo remain. The Sheriff attempted attachment and execution of the warrant at Mr Mabula's Knysna address and was advised that he left the address. Our attorney of record gave the Sheriff the instruction to attach the property of Mr Mabula in light of the fact that the parties are married in community of property (Mabula and his wife). We await the Sheriff’s return of service in respect of said instruction.

**Case No: 21936/16**  
*Status Quo* remain. The Sheriff attempted attachment and execution of the warrant at Mr Mabula's Knysna address and was advised that he left the address. Our attorney of record gave the Sheriff the instruction to attach the property of Mr Mabula in light of the fact that the parties are married in community of property (Mabula and his wife). We await the Sheriff’s return of service in respect of said instruction.

**Case No: 21937/16**  
*Status Quo* remains - The file is pending since the defendant did not attend to the necessary to proceed to obtain a trial date.

### 6. THABO MABULA // KNYSNA MUNICIPALITY - LABOUR COURT

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Cost Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harker Attorneys</td>
<td>See above.</td>
</tr>
<tr>
<td>June 2016</td>
<td></td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

*Status Quo* remains - We await feedback from the Labour Court regarding a set down date.

### 7. KM // D HARKER & OTHERS – SORIA STREET EVICTION APPLICATION

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lulama Prince Attorneys November 2017</td>
<td>R 360 491.07 (no new invoices)</td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

The court granted the eviction order and ordered the respondents to vacate the premises by 31 May 2020. Due to the COVID-19 pandemic, the eviction process was put on hold and the parties are to agree on an alternative date for the eviction.

### 8. ADONIS & OTHERS // KM

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lulama Prince Attorneys October 2017</td>
<td>R 89 319.32 (no new invoices)</td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

We await further action by the plaintiffs.

### 9. 4 FALCON STREET, KNYSNA – EVICTION PROCEEDINGS

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harker Attorneys Dec 2018</td>
<td>R 93 821.65</td>
</tr>
</tbody>
</table>

**Status update – Where we are in the process & the way forward**

The court granted the eviction order and the respondents were to vacate on 6 April 2020. Due to the COVID-19 pandemic, this was postponed and the parties are currently proposing a further date being 30 June 2020.

### 10. ESKOM HOLDINGS SOC LIMITED // KM // MUNICIPAL MANAGER
### Commencement Date | Legal Costs | Spend to date
---|---|---
Bula Bula Inc. | | 
January 2019 | R 500 253 |

#### Status update – Where we are in the process & the way forward
This matter is ongoing and a further consultation between the stakeholders in terms of the System of Delegations will be arranged.

### 11. WAXA // KM // SPEAKER OF KM // KM’S DISCIPLINARY COMMITTEE // MEC FOR LOCAL GOVERNMENT

#### Commencement Date | Legal Costs | Spend to date
---|---|---
Bula Bula Inc | | 
January 2019 | R 543 741.62 |

#### Status update – Where we are in the process & the way forward
We await further action to be taken by the applicant.

### 12. HLALANI EVICTION: KM // M & N PAKO

#### Commencement Date | Legal Costs | Spend to date
---|---|---
Mosdell, Pama & Cox | | 
April 2019 | R 21 608, 93 |

#### Status update – Where we are in the process & the way forward
The court granted the eviction order and the respondents were ordered to move their structures back on the property to allow IHS to continue with the housing development in the area.

### 13. EVICTION: KM // C WILLIAMS

#### Commencement Date | Legal Costs | Spend to date
---|---|---
Mosdell, Pama & Cox | | 
May 2019 | R 30 421.37 |

#### Status update – Where we are in the process & the way forward
This matter was postponed to 19 June 2020. Our attorney of record is in the process of trying to arrange a virtual meeting regarding possible mediation.

### 14. THESEN ISLAND HOMEOWNERS’ ASSOCIATION // QUICKVEST // KNYSNA MUNICIPALITY, ERF 13193

#### Commencement Date | Legal Costs | Spend to date
---|---|---
Stadler & Swart Attorneys | | 
July 2019 | R 159 739, 05 |

#### Status update – Where we are in the process & the way forward
The municipality has filed a Notice to Abide in respect of the amended Notice of Motion. The parties accordingly concluded a settlement agreement in this matter.

### 15. TRACKSTAR TRADING // KNYSNA MUNICIPALITY // THE EXECUTIVE MAYOR // CLLR P MYERS

#### Commencement Date | Legal Costs | Spend to date
---|---|---
Mosdell, Pama & Cox | | 
July 2019 | R 120 755.29 |

#### Status update – Where we are in the process & the way forward
We still await the applicant’s replying papers.
16. DECLARATORY ORDER – KNYSNA MUNICIPALITY: PAYMENT OF 20% SCARCE SKILLS ALLOWANCE

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs</th>
<th>Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lulama Prince</td>
<td>R 92 767.45</td>
<td></td>
</tr>
<tr>
<td>September 2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Status update – Where we are in the process & the way forward

Our attorney of record was instructed to keep their file in abeyance.

17. AMBROSE TRADING CC & OTHERS // KNYSNA MUNICIPALITY

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs</th>
<th>Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harker Attorneys</td>
<td>R 294 714.40</td>
<td></td>
</tr>
<tr>
<td>September 2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Status update – Where we are in the process & the way forward

We were required in terms of the February court order, to make available an alternative holding area for the taxi associations and to further ensure that the taxi’s were relocated from Union Street. Due to the national lockdown and other internal procurement requirements compliance with the court order could not be achieved. This matter is being prioritized.

18. WILLEMSE // KNYSNA MUNICIPALITY & OTHERS

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs</th>
<th>Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDH</td>
<td>R 90 327.90</td>
<td></td>
</tr>
<tr>
<td>October 2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Status update – Where we are in the process & the way forward

The High Court granted judgment in favour of the respondents in March 2020. The applicant however applied for leave to appeal.

19. KNYSNA MUNICIPALITY & OTHERS // BRENTON HAVEN

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs</th>
<th>Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stadler &amp; Swart</td>
<td>R 91 954.05</td>
<td></td>
</tr>
<tr>
<td>October 2017</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Status update – Where we are in the process & the way forward

The Municipal Council resolved on 28 November 2019 that a settlement proposal be offered to the claimant in the amount of R 718 986.60 in full and final settlement. Each party was to pay their own legal costs and the matter was to be referred to MPAC for further investigation and report back to Council.

The matter was to sere before Council on 26 March 2020, but due to the COVID-10 national lockdown this was not possible. A meeting was requested with the claimant to gain clarity on certain issues pertaining to their counter proposal, but due to the lockdown this was also not yet able to take place.

20. MEDIATION: KNYSNA MUNICIPALITY // ILLEGAL OCCUPIERS – 4 FALCON STREET EVICTION

<table>
<thead>
<tr>
<th>Commencement Date</th>
<th>Legal Costs</th>
<th>Spend to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosdell, Pama &amp; Cox</td>
<td>R 73 394.27</td>
<td></td>
</tr>
<tr>
<td>December 2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Status update – Where we are in the process & the way forward

The court granted the eviction order and the respondents were to vacate the property by 6 April 2020. Due to the national lockdown this could not happen and the parties are in the process of agreeing on a new date to vacate the premises.

21. INTERDICT: ILLEGAL LAND INVASIONS - SEGDEFIELD
Commencement Date | Legal Costs | Spend to date
---|---|---
Mosdell, Pama & Cox | | R 66 458. 34
March 2020 | |

**Status update – Where we are in the process & the way forward**

The urgent court interdict was granted in favour of the municipality.

**22. MEC // PHILLIPS // KM**

Commencement Date | Legal Costs | Spend to date
---|---|---
Lulama Prince | R 92 767. 45 | 
March 2020 | |

**Status update – Where we are in the process & the way forward**

Our Notice to Abide was filed.

### EXTENSION OF LIQUOR TRADING DAYS & HOURS

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Application for Extension of Liquor Trading Days and Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No applications for extensions received for reporting period</td>
</tr>
</tbody>
</table>

### APPLICATIONS FOR TEMPORARY / PERMANENT LIQUOR LICENSES

**Routed for Comments Internally**

<table>
<thead>
<tr>
<th>Application Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager: Legal Services; Manager: Public Safety; Manager: Town Planning &amp; Building Control; and Ward Councillor</td>
</tr>
<tr>
<td>Special Events Liquor License: Lynne Wine Club</td>
</tr>
<tr>
<td>Special Events Liquor License: Lion’s Club</td>
</tr>
<tr>
<td>Special Events Liquor License: Oakleaf Knysna</td>
</tr>
<tr>
<td>Special Events Liquor License: Knysna Motor Show</td>
</tr>
</tbody>
</table>

### MUNICIPAL COURT

**STATUS UPDATE**

*Status Quo remains*

The *Status Quo remain*. The Municipal Manager, Dr Vatala advised that after consultation with the TMT and the consideration of a cost benefit analysis, it was decided that an item be drafted to Council to consider the discontinuation of the establishment of a municipal court and that the Administration be instructed to approach Bitou Municipality to enter into a Memorandum of Agreement with them to utilise their court.

### FINANCIAL IMPLICATIONS

MTREF Operational budget – 2019/2020

### COMMENTS FROM THE MUNICIPAL MANAGER

None

### COMMENTS FROM CORPORATE SERVICES

For consideration by the Committee
COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
Report noted.

COMMENTS FROM LEGAL SERVICES
Report contains details of activity of legal services and status update on litigation matters

COMMENTS FROM IHS
Noted

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

That the Quarterly Report on Legal Matters: Quarter 3 of 2019/2020, be noted.

Delegated to the committee to resolve. (F.2.1)

APPENDIX / ADDENDUM
None

File Number: 9/2/1/1
Execution: Director Corporate Services
REPORT FROM THE DIRECTOR CORPORATE SERVICES

PURPOSE OF THE REPORT

To report to the Municipal Council on the review of the Provision of Staff Housing Policy.

BACKGROUND

On the 29th August 2019, an item served at the Ordinary Council Meeting on the Status of Leasing of Municipal Property to Municipal Staff. Said item is enclosed hereto as Annexure “A” for ease of reference. The Municipal Council consequently resolved as follows:

a) That the current situation with regards to leasing needs to be reviewed and a full report submitted to the next Governance and Economic Development meeting on options including possible sale of properties; and

b) Whilst this review is being conducted no further leases or extensions or permission be given to the occupier may be given until the policy has been reviewed.

Above-mentioned resolution is enclosed hereto as Annexure “B”. As per the resolution the Legal Services & Properties Division embarked on a review process of the current Provision of Staff Housing Policy.

During the review process it was found that with the creation of the new Integrated Human Settlements Directorate, the Municipal Council also considered the function of staff rental housing to be moved to IHS. Item SC03/06/19 Aligned Organogram – Integrated Human Settlements & Key Strategic Decisions, also discussed the topic of staff rental housing.

It was stated that the current housing environment is beset with challenges which require urgent review and alignment in order to deal with same in a more responsive manner, namely: the need for typology driven housing model which caters for varied needs – Informal Settlements Support Programme 9ISSP); BNG, Gap Housing; FLISP, PHP, Public/CRU and Social Rental Housing Programmes; and Use of limited rental stock of flats mostly by staff and senior citizens instead of the normal targeted public rental households.

It was proposed that all housing defined operations and management of related assets be transferred under the management of the new Directorate. This would allow for the transfer of the operational responsibilities for title deed registrations as well as management of the remaining 137 units located in the council public rental flats to sit under the responsibility of the newly proposed: Manager: Public Rental & Social Housing Programmes.

Essentially these units were developed for the purpose of accommodating low income households for tenancy purposes but are currently used for both staff members as well as senior tenants. It was further proposed that Council should consider a phased approach, which allows, for the use of the flats by staff for a period not exceeding a year. This would require that affected staff members be advised to look for alternative accommodation in order for the municipality to align to government regulations and policy frameworks. Such legislation
obligated for the primary use of the flats for public stakeholders who earn a monthly income between R 3 500 pm and R 7 500 pm as provided for in legislation.

**DISCUSSION**

In considering above, the Municipal Council unanimously under Item SC03/06/19, resolved (Annexure “C”) as follows:

a) That the aligned and proposed Integrated Human Settlements Directorate organogram be approved in consultation with the Local Labour Forum;

b) That all housing related functions be allowed to sit under the new Directorate which will necessitate the transfer of the responsibility pertaining to title deed registrations for all housing related properties and serviced sites;

c) That the Municipality supports the use of the remaining management of 137 rental units which should be used for the primary purpose of housing low income households that earn respectively monthly incomes per month that sits between R 3 500 and R 7 500 combined household income;

d) That this process be aligned and guided by the separate draft Strategic Human Settlements Plan presented for consideration and approval by the Knysna Municipality;

e) That an internal and external consultative workshop process with all staff and stakeholders be organized and implemented to build collective ownership based on common understanding and support by all stakeholders; and

f) That the Municipal Manager be mandated to oversee the phase-in-execution of the aligned organogram for integrated human settlements and key strategic decisions.

It appears from above that the function of staff rental accommodation is being moved to the IHS directorate. In this regard the Properties Department needs guidance from the Municipal Council. If the municipal flats forms part of IHS’s Social Housing Programme, the Provision of Staff Housing Policy needs to be amended to exclude municipal flats. The Policy will then only be applicable to four municipal houses being:

- 6 Gordon Street, Knysna;
- 86 Milkwood Drive, Knysna; and
- The Mayoral House at 42 Old Toll Road, Knysna.
- 160 Walker Street, Buffalo Bay

The amended Policy is enclosed hereto as Annexure “D”. The proposed amendments includes:

a) An extension of the lease period;

b) The removal of “flats” from the policy;

c) Application procedure when applying for extension; and

d) The composition of the allocation committee.

The amended policy is therefore submitted to the Municipal Council for consideration. The department when conducting the review came to the view that if the municipal flats are to form part of IHS’s Social Housing Programme, the only viable properties would be the flats known as Westview Court and Protea Terrace flats. The department wishes Council to consider the following options:

a) To remove the Westview court and Protea Terrace flats from the IHS Social Housing Programme, but include the Milkwood flats to the IHS Social Housing Programme; or
b) To consider scrapping the Provision of Staff Housing Policy as a whole and to consider revenue enhancement by leasing municipal houses and flats to the public at market related rentals.

**Status of Lease of Municipal property to Municipal Staff**

The Municipal council on 29 August 2019, resolved that whilst the review is being conducted no further leases or extensions or permission be given to the occupiers until the policy has been reviewed.

The department accordingly served notices on the occupiers who have been residing in municipal accommodation in access of the period as allowed for in the Policy (12months). The occupiers were formally notified and called upon to vacate municipal accommodation by no later than 30 October 2019. The department at the time received new applications for staff accommodation which has to be considered and the continued occupation of the current tenants affects the department’s ability to implement Council’s policy.

Above-mentioned occupiers subsequently submitted a signed memorandum to the office of the Municipal Manager requesting the review of the Policy be fast tracked and that should Council still wish to terminate the leases, same be converted to month-to-months until the Policy has been reviewed.

The request was accordingly approved and Council is herewith requested to ratify the decision of the Municipal Manager to suspend the implementation of the council resolution.

Above report is accordingly submitted for consideration.

**COMMENTS FROM THE MUNICIPAL MANAGER**

None

**COMMENTS FROM CORPORATE SERVICES**

For consideration and approval by the Committee in line with the Delegations

**COMMENTS FROM FINANCIAL SERVICES**

Noted

**COMMENTS FROM TECHNICAL SERVICES**

Noted

**COMMENTS FROM COMMUNITY SERVICES**

Noted. No further comments

**COMMENTS FROM PLANNING AND DEVELOPMENT**

No Comments

**COMMENTS FROM LEGAL SERVICES**

Council should consider whether to amend the policy so as to include rental of municipal property to persons other than municipal employees. Council should also read the policy in conjunction with the strategy for Integrated Human Settlements which Council adopted for further consultation.

**COMMENTS FROM IHS**

Noted
FINANCIAL IMPLICATIONS

The Municipality would still derive market related rentals from the two flats (Protea Terrace and Westview Court) and the houses.

RELEVANT LEGISLATION

MFMA
Knysna Municipality’s Management of Immovable Property Policy
Knysna Municipality’s Provision of Staff Housing Policy

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report on the Staff Housing Policy be noted;

[b] That the removal of the municipal flats (except the Westview Court and Protea Flats) from the Provision of Staff Housing Policy, be approved, as per Council Resolution SC03/06/2019 – Aligned Organogram – Integrated Human Settlements and Key Strategic Decisions;

[c] That the amendments made to the Provision of Staff Housing Policy be approved; and

[d] That the Municipal Council ratifies the decision of the Municipal Manager to suspend the implementation of the Council Resolution with regards to the occupiers who are currently in unlawful occupation of municipal property.

APPENDIX / ADDENDUM

Annexure “A” - Item on Staff Leases
Annexure “B” – 29 August 2019 Council Resolution on Staff Leases
Annexure “C” – 29 August 2019 Council Resolution on IHS & Key Strategic Decisions
Annexure “D” - Amended Provision of Staff Housing Policy

File Number: 9/1/1/2
Execution: Acting Municipal Manager
Director Corporate Services
Manager Legal Services
CM47/08/19 STATUS OF LEASE OF MUNICIPAL PROPERTY TO MUNICIPAL STAFF

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To submit the status quo on all leases of Municipal property to Municipal Staff.

BACKGROUND

Council at its meeting held on the 29th of July 2019, resolved to have a report on all current municipal property subject to a lease agreement by staff, be submitted to the next Mayoral Committee meeting.

The request follows on an item submitted to Council to review and rescind a resolution of Council dated 27 November 2014 with regards to the sale of Erf 4949, Knysna (86 Milkwood drive). The purpose of the recommendation to Council was for the said property to be leased, to the Municipal Manager at a market related rental.

At present, a total number of Council owned properties are let to staff in the employ of the Knysna Municipality. A total number of 13 tenants does not have existing lease agreements as their leases have expired. These staff members have submitted requests to continue residing in the properties as they have no alternative accommodation available to them.

No leases have been concluded as the policy only makes provision for a rental period of a maximum of 12 months (6 months plus 6 month renewal) and the current rental is on month to month basis.

There are no vacant flats available at this moment. We have a number of 13 staff on the waiting list.

There is an amount of R 2 450 000 budgeted for repairs and maintenance on all Municipal buildings (including offices, houses and flats) and R700 000 CAPEX for the upgrade of Westview Court Flats for the financial year 2019/2020. For the financial year 2018/2019 we spent ±R 1 000 000.00 on repairs and maintenance on the Municipal Employee Accommodation.

We have already received a list of repairs and maintenance requests for our administrative offices and anticipate that the budgeted amount will not be sufficient to effect all these requests and reserve funds for emergency repairs.
### DISCUSSION

The status of the properties are as follow:

<table>
<thead>
<tr>
<th>List of properties</th>
<th>Current Tenant</th>
<th>Current Rental Amount</th>
<th>Existing Lease</th>
<th>Was allocation done in terms of Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>86 Milkwood Drive</td>
<td>Vacant</td>
<td>R 6 045.46 (previous rental income) current R 0.00 as property is vacant and part of the list of properties to be auctioned.</td>
<td>Not applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>42 Old Toll Road</td>
<td>Phumla Makoma</td>
<td>R 5 347.82</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>14 Church Street</td>
<td>Vacant</td>
<td>R 4 766.63 (previous rental income) current R 0.00 as property is vacant and part of the list of properties to be auctioned.</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>4 Falcon Street</td>
<td>Fire victims</td>
<td>R 4 301.59 (previous rental income) current R 0.00 as property is occupied by fire victims and part of the list of properties to be auctioned</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>10 Bokmalerie Street</td>
<td>Vacant</td>
<td>R 5 347.92 (previous rental income) current R 0.00 as property is vacant and part of the list of properties to be auctioned)</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>6 Gordon Street</td>
<td>Randolph Daanes</td>
<td>R 5 347.82</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>List of properties</td>
<td>Current Tenant</td>
<td>Current Rental Amount</td>
<td>Existing Lease</td>
<td>Was allocation done in terms of Policy</td>
</tr>
<tr>
<td>--------------------</td>
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<td>----------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>12 Kamdebo Street</td>
<td>Nobesuthu Fundi</td>
<td>R 5 231.60</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>170 Upper Duthie Drive, Belvidere</td>
<td>Russel Petersen</td>
<td>R 5 231.68</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>160 Walker Drive, Buffalo Bay</td>
<td>Pravir Haniparsad</td>
<td>R 4 650.36</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>1 Milkwood Flats</td>
<td>Mervin Barnard</td>
<td>R 4 185.32</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Milkwood Flats</td>
<td>Genevieve van Brissies</td>
<td>R 4 185.32</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>3 Milkwood Flats</td>
<td>Sipho Kusheka</td>
<td>R 4 185.32</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Milkwood Flats</td>
<td>Gerald Avery</td>
<td>R 4 185.32</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>1 Protea Terrace</td>
<td>Gerswin Stevens</td>
<td>R 4 069.07</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Protea Terrace</td>
<td>Gerald Majola</td>
<td>R 4 069.07</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>3 Protea Terrace</td>
<td>Kim Sampson</td>
<td>R 4 069.07</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Protea Terrace</td>
<td>Maureen Cupido</td>
<td>R 4 069.07</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>5 Protea Terrace</td>
<td>Zukile Kala</td>
<td>R 4 069.07</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>1 Westview Court</td>
<td>Elaine Spies</td>
<td>R 4 417.85</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Westview Court</td>
<td>Megan Blatchford</td>
<td>R 4 417.85</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>3 Westview Court</td>
<td>Jacques Lawrence</td>
<td>R 4 417.85</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Westview Court</td>
<td>Vuyisilehlu Nobatana</td>
<td>R 4 417.85</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>5 Westview Court</td>
<td>Nadia Majola</td>
<td>R 3 139.88</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>6 Westview Court</td>
<td>Bryan Campher</td>
<td>R 3 139.88</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>
FINANCIAL IMPLICATIONS

Cost of repairs and maintenance (2019/2020 budget is an amount of R 2 450 000.00).

RELEVANT LEGISLATION

Knysna Municipality’s Management of Immovable Property Policy

UNANIMOUSLY RECOMMENDED

[a] That the report and annexures regarding the status quo on all leases of Municipal properties leased to Municipal Staff submitted to the Mayoral Committee meeting dated 13 August 2019, be noted; and

[b] That the Directorate follow the procedures as per the policy to ensure compliance.

APPENDIX / ADDENDUM

ANNEXURE A- Housing Allocation Policy

File Number : 7/1/2/5
Execution : Municipal Manager
            Director : Corporate Services
            Manager : Legal Services
ANNEXURES

ANNEXURE A

MUNICIPALITY OF KNYSNA

POLICY RELATING TO THE PROVISION OF STAFF HOUSING

INDEX

1. Preamble
2. Introduction
3. General Principles
4. Waiting list
5. Application & Qualification
6. Criteria for allocation
7. Procedure to follow in allocation of accommodation
8. Rent etc.
1. PREAMBLE

Whereas the provision of staff housing is not a function of a Municipality, the Khanya Municipality has over the years acquired several houses and flats. These houses and flats are being rented out to staff and the Municipality is responsible for the maintenance and other related costs of such buildings.

This document forms a basis of control and principles for the formal procedures and disciplines in the process of the allocation of Municipal accommodation.

2. INTRODUCTION

2.1 To provide a policy framework for the provision and allocation of Municipal accommodation; to establish criteria for the allocation; to keep a list of applications and to determine certain qualifications and disqualifications.

2.2 To draw up contracts for the letting of houses and flats and to keep those contracts within the Corporate Services Directorate.

2.3 The Municipality amend its policy from time to time to adapt to specific situations and trends to suit its own needs.

3. GENERAL PRINCIPLES

3.1 The accommodation available are there to assist a member of staff for a limited period while the staff member is in the process of providing for own accommodation. Currently the maximum period allowed per individual to occupy Municipal housing is 6 months with an successful
re-application to the Municipal Manager which will result in accommodation of not more than 12 months.
3. The Municipal Finance Management Act required that a market related rental be paid for Municipal accommodation.
4. The Housing Allocation Committee will constitute Property Management and two additional members of staff.

4. WAITING LIST
A list is kept by Corporate Services with the names and detail of applicants. The list is kept in alphabetical order but is not based on the period a name has been on the waiting list. The list is updated as new applications are received and is regularly circulated to the different Directorates to confirm the status of applicants on the list.

5. APPLICATION AND QUALIFICATION

5.1 Applications for Municipal Accommodation are lodged at the Corporate Services Directorate. All applications should contain the following information:
(a) Name of applicant
(b) Family circumstances (Married, single, children, etc)
(c) Directorate
(d) Position held at work and special conditions (essential, critical or emergency)
(e) Current accommodation
(f) Whether the applicant owns a residential property

5.2 Applicants who own a suitable residential property in the municipal area do not qualify for staff accommodation.
5. Additional motivation from Directors or Senior Staff may accompany applications.

6. CRITERIA FOR APPLICATION

The following are the criteria applied and the points allowed for:

<table>
<thead>
<tr>
<th>CURRENT ACCOMMODATION</th>
<th>FAMILY CIRCUMSTANCES (max 5 points)</th>
<th>CRITICAL (I) ESSENTIAL (II) AND EMERGENCY (I) POSITIONS</th>
<th>TIME ON WAITING LIST (I) Point per year with a max of 5 points)</th>
<th>OTHER PROPERTY BENEFICIAL ARRANGEMENTS</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Term</td>
<td>Unaccompanied</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td>Short Term</td>
<td>Unaccompanied</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Single</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Married</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Dependents</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Dependents</td>
<td>1</td>
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<td>Dependents</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Dependents</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
</tr>
</tbody>
</table>
* Critical: Skills that are scarce and positions that are not easy to fill.

**Essential:** Personnel who maintain services that are necessary to prevent a threat to health, personal safety or life of the community.

**Emergency:** Those positions where it is required that personnel be on standby, work after hours or called out to render emergency services during or after hours.

7. PROCEDURES TO FOLLOW IN THE ALLOCATION OF ACCOMMODATION

7.1 Wherever a house or flat becomes available all Directors will be notified. This will allow Directors to alert the Housing Allocation Committee of special circumstances or needs in a Directorate.

7.2 The list of applicants is updated when new applications are received.

7.3 The Housing Allocation Committee will allocate the accommodation according to the criteria as set out in section 6.

8. RENTAL

8.1 The rental is based on a market related rental and re-calculated from time to time.

8.2 Rental will be deducted from the salary of members of staff.

8.3 Each and every rental will be subject to a standard Rental Agreement which will be signed by both parties.
CM47/08/19  STATUS OF LEASE OF MUNICIPAL PROPERTY TO MUNICIPAL STAFF

UNANIMOUSLY RESOLVED

[a] That the current situation with regards to leasing needs to be reviewed and a full report submitted to the next Governance and Economic Development Committee meeting on options including possible sale of properties; and

[b] Whilst this review is being conducted no further leases or extensions or permission be given to the occupier may be given until the policy has been reviewed.

File Number : 7/12/5
Execution : Municipal Manager
Director : Corporate Services
Manager : Legal Services
SC03/06/19  ALIGNED ORGANOGRAM – INTEGRATED HUMAN SETTLEMENTS AND KEY STRATEGIC DECISIONS

This was the second item discussed.

UNANIMOUSLY RESOLVED

[a] That the aligned and proposed Integrated Human Settlements Directorate organogram be approved in consultation with the Local Labour Forum;

[b] That all housing related functions be allowed to sit under the new Directorate which will necessitate the transfer of the responsibility pertaining to title deed registrations for all housing related properties and serviced sites;

[c] That the Municipality supports the use of the remaining management of 137 rental units which should be used for the primary purpose of housing low income households that earn respectively monthly incomes per month that sits between R3 500 – R7 500 combined household income;

[d] That this process be aligned and guided by the separate draft Strategic Human Settlements Plan presented for consideration and approval by the Krynsa Municipality;

[e] That an internal and external consultative workshop process with all staff and stakeholders be organized and implemented to build collective ownership based on common understanding and support by all stakeholders; and

[f] That the Municipal Manager be mandated to oversee the phase-in-execution of the aligned organogram for integrated human settlements and key strategic decisions.

File Number : 2/R
Execution :  Municipal Manager
            Director : Integrated Human Settlements

SC04/06/19  TOWARDS A RESPONSIVE STRATEGIC HUMAN SETTLEMENTS PLAN – IHS AND KEY STRATEGIC DECISIONS (KM)

This was the first item discussed.

UNANIMOUSLY RESOLVED

[a] That the aligned and proposed KM Strategic Human Settlements Plan be noted; and

[b] That the report towards a responsive Strategic Human Settlements Plan – IHS and Key Strategic Decisions (KM) be referred to the next Planning and Integrated Human Settlements Committee Meeting and an all-inclusive consultative workshop.
<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Provision of Staff Housing Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Author(s)</td>
<td></td>
</tr>
<tr>
<td>Policy status</td>
<td>Review</td>
</tr>
<tr>
<td>Council Resolution No and Date of approval</td>
<td></td>
</tr>
<tr>
<td>Signature of Speaker</td>
<td></td>
</tr>
<tr>
<td>Signature of MM</td>
<td></td>
</tr>
<tr>
<td>CLAUSE</td>
<td>PAGE</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>1. PREAMBLE</td>
<td>3</td>
</tr>
<tr>
<td>2. INTRODUCTION</td>
<td>3</td>
</tr>
<tr>
<td>3. GENERAL PRINCIPLES</td>
<td>3</td>
</tr>
<tr>
<td>4. WAITING LIST</td>
<td>4</td>
</tr>
<tr>
<td>5. APPLICATION &amp; QUALIFICATION</td>
<td>4</td>
</tr>
<tr>
<td>6. CRITERIA FOR ALLOCATION</td>
<td>5</td>
</tr>
<tr>
<td>7. PROCEDURE TO FOLLOW IN ALLOCATION OF ACCOMMODATION</td>
<td>6</td>
</tr>
<tr>
<td>8. RENTAL</td>
<td>6</td>
</tr>
<tr>
<td>9. AMENDMENTS</td>
<td>6</td>
</tr>
<tr>
<td>10. EFFECTIVE DATE</td>
<td>7</td>
</tr>
</tbody>
</table>
1. **PREAMBLE**
Whereas the provision of staff housing is not a function of a Municipality, the Knysna Municipality has over the years acquired several houses and flats. These houses and flats are being rented out to staff and the Municipality is responsible for the maintenance and other related costs of such buildings.

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2.2 To draw up contracts for the letter leasing of houses and flats and to keep those contracts within the Corporate Services Directorate.
2.3 The Municipality amends its policy from time to time to adapt to specific situations and trends to suit its own needs.

3. **GENERAL PRINCIPLES**
3.1 The accommodation available are there to assist new or relocated staff members for a limited period while the staff member is in the process of providing for own accommodation. Currently the maximum period allowed per individual to occupy Municipal housing is 12 months with a possible extension for a further 6 months. Said application for extension of a further 6 months must be submitted to the Municipal Manager at least 30 days before the termination date as per the lease agreement. The application must be accompanied by the following:
   a) Written proof that the tenant pursued obtaining alternative accommodation of a permanent nature; and
   b) Written proof of estate agents who confirms whether alternative accommodation in the area is available or not.

3.2 The Municipal Finance Management Act required that a market related rental be paid for Municipal accommodation.
3.3 The Housing Allocation Committee will constitute Property Management and all Senior Managers reporting directly to the Municipal Manager.

4. **WAITING LIST**
A list is kept by Property Management with the names and detail of applicants. The list is kept in alphabetical order but is not based on the period a name has been on the waiting list. The list is updated as new applications are received and it is regularly circulated to the different Directorates to confirm the status of applicants on the list.

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<table>
<thead>
<tr>
<th>CURRENT ACCOMMODATION</th>
<th>FAMILY CIRCUMSTANCES (max 5 points)</th>
<th>* CRITICAL (5), ESSENTIAL (3) AND EMERGENCY (1) POSITIONS</th>
<th>TIME ON WAITING LIST (1 Point per year with a max of 5 points)</th>
<th>OTHER PROPERTY</th>
<th>BENEFICIAL ARRANGEMENTS</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Term</td>
<td>1 Unmarried</td>
<td>1 Crit 3</td>
<td>Current 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short Term</td>
<td>2 Unmarried &amp; 1 Child</td>
<td>2 Ess 2</td>
<td>Current +1 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Married</td>
<td>2 Em 1</td>
<td>Current +2 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dependants</td>
<td>3</td>
<td>Current +3 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dependants</td>
<td>3</td>
<td>Current +4 4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dependants</td>
<td>4</td>
<td>&gt;5 5</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Dependants</td>
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<td></td>
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<tr>
<td></td>
<td>Dependants</td>
<td>5</td>
<td></td>
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</tr>
</tbody>
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7.3 The Housing Allocation Committee will allocate the accommodation according to the criteria as set out in section 6.
8. **RENTAL**

8.1 The rental is based on a market related rental and re-calculated from time to time.

8.2 Rental will be deducted from the salary of members of staff.

8.3 Each and every rental will be subject to a standard Rental Agreement which will be signed by both parties.

8.4 The tenant agrees to “entry and exit” inspections to be done before the tenant moves into municipal accommodation. Should the property not be in the same good state as when the tenant moved in or if the property was being vandalised, the Council will deduct an amount equal to the rental amount a month after the tenant vacated the property.

9. **AMENDMENTS**

The Council may, from time to time, amend this policy and introduce any measure(s) to ensure efficient, economic and effective management of Council resources.

10. **EFFECTIVE DATE**

This Policy will become effective upon approval thereof by the Council of the Knysna Municipality.
REPORT FROM THE DIRECTOR : CORPORATE SERVICES

PURPOSE OF THE REPORT

To inform Council of the Community Work Programme (CWP) activities in the Greater Knysna Municipal Area.

BACKGROUND/ DISCUSSION

The Knysna Community Work Programme site was declared as a 600 site and as of March 2020, 570 of the approved participants were active. A further 63 participants from various wards were recently approved by COGTA. An induction was conducted with the new applicants on the 12 March 2020. The new participants were placed in various work groups, issued with uniforms, protective gear and were placed in their respective wards. Ward 1, 2, 5, 6, 9 and 11 are still reflecting a low number of participants. There were no non payments recorded in 2020 and as of March 2020 the number of inactive participants stands at 9.

Five participants in the CWP are to be trained by the Municipal Legal Services Department to assist the Knysna Municipal Council in the transcribing of rightful owners of houses so that the housing units can be transferred to their owners.

The alignment of the CWP with municipal programmes remains a challenge and a monthly operational meeting with Knysna Municipal service delivery departments was set up to deal with the challenges.

The Acting CWP Site Manager is attending all formal Ward Committee meetings with an aim of interacting directly with the ward councillors and ward committee members and to discuss challenges and come up with possible solutions in the respective wards.

At a Local Reference Committee meeting that was held on the 12 March 2020 the following resolutions were taken:

1. That in order to deal with low morale, general discipline and work ethics of the CWP participants, a roadshow will be undertaken to re-induct all participants into the programme;

2. That a workshop has to be organized with all the participating stakeholders to re-evaluate the useful work activities and to review the business plan within the programme’s norms and standards and to re-induct the participating stakeholders into the norms and standards of the programme;

3. That the site management adhere strictly to the norms and standards of the programme when issuing tools and materials;
4. That the wearing of the programme’s uniform on site be made compulsory and any none compliance by participants will result in consequence mangement including non-payment;

5. That because of the low numbers of participants in wards 1, 2,5,6,9 and 11 the CWP site Manager was tasked to issue a correspondence to COGTA to encourage them to speed up the approval of participants on the Beneficiary Masterfile Pending list coming from these wards.

No CWP activities took place in April and May 2020 due to the Covid-19 pandemic.

COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
Report to be noted by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
Report Noted.

COMMENTS FROM LEGAL SERVICES
No comment

COMMENTS FROM IHS
Noted

FINANCIAL IMPLICATIONS
Provision of transport to the Ward Committee representatives to attend Local Reference Committee (LRC) meetings.

RELEVANT LEGISLATION
Community Work Programme Terms of Reference

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER
That the Public Participation January – May 2020 report on the Community Works Programme, be noted.

APPENDIX / ADDENDUM
N/A
File Number: 9/1/1/1
Execution: Director: Corporate Services
6.16

G16/07/2020 REPORT ON THE COMMUNITY DEVELOPMENT WORKERS PROGRAMME (CDWP): JANUARY - MAY 2020

REPORT FROM THE DIRECTOR : CORPORATE SERVICES

PURPOSE OF THE REPORT

To inform Council of the Community Development Workers Programme (CDWP) activities in the Greater Knysna Municipal Area.

BACKGROUND/ DISCUSSION

Below is a summary of the Community Development Workers Programme (CDWP) activities that were rolled out in the Knysna Municipal area for the months January – May 2020.

JANUARY 2020

<table>
<thead>
<tr>
<th>WARD/VENUE</th>
<th>ACTIVITIES</th>
<th>DATE</th>
<th>SPHERE OF GOV</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Food garden: referred community to Breede-Gouritz Catchment Management Agency (BGCMA) for assistance with water tanks.</td>
<td>16/01/2020</td>
<td>National</td>
</tr>
<tr>
<td>2</td>
<td>Breede-Gouritz Catchment Management Agency (BGCMA) assisted the applicants with filling in application forms for water tanks.</td>
<td>22/01/2020</td>
<td>National</td>
</tr>
<tr>
<td>George Municipality</td>
<td>Attended IDP/Budget &amp; PMS forum meeting.</td>
<td>23/01/2020</td>
<td>Provincial</td>
</tr>
<tr>
<td>2</td>
<td>KILT: assisted a client with application for an internship opportunity.</td>
<td>30/01/2020</td>
<td>Local</td>
</tr>
</tbody>
</table>

NOMVULA FLEPISI

<table>
<thead>
<tr>
<th>WARD/VENUE</th>
<th>ACTIVITIES</th>
<th>DATE</th>
<th>SPHERE OF GOV</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Municipality</td>
<td>IDP/Budget &amp; PMS forum meeting</td>
<td>23/01/2020</td>
<td>Provincial</td>
</tr>
<tr>
<td>8</td>
<td>Logistical assistance: Introduction of contractor for Road Re-gravelling</td>
<td>30/01/2020</td>
<td>Local</td>
</tr>
</tbody>
</table>

WELCOME KOBI

No activities was on leave.

FEBRUARY 2020

<table>
<thead>
<tr>
<th>WARD/VENUE</th>
<th>ACTIVITIES</th>
<th>DATE</th>
<th>SPHERE OF GOV</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Helping Us Reach Potential (HURP): assist with logistical arrangements for the start of classes.</td>
<td>10-13/02/2020</td>
<td>Local</td>
</tr>
</tbody>
</table>
Riversdale  |  Attended a CDW staff meeting.  |  12/02/2020  |  Provincial
Harlem  |  Department of Rural Development: assisted with loud hailing and pamphlet distribution.  |  13/02/2020  |  National
5  |  NPO: Assist with the establishment of an NPO.  |  14/02/2020  |  Local
5  |  Annual Braai Competition: sent out invitations for a planning meeting.  |  19/02/2020  |  Local
7  |  Human Rights Commission: assist with loud hailing and distribution of pamphlets.  |  24/02/2020  |  National
7  |  Human Rights Commission: assisted with logistics and attended the session at the Khayalethu Hall  |  25/02/2020  |  National
1  |  Assisted NPO Hephziba Solutions with funding application.  |  27/02/2020  |  Local

<table>
<thead>
<tr>
<th>NOMVULA FLEPISI</th>
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</thead>
<tbody>
<tr>
<td><strong>WARD/VENUE</strong></td>
</tr>
<tr>
<td>8</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>5</td>
</tr>
<tr>
<td>Riversdale</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WELCOME KOBI</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WARD/VENUE</strong></td>
</tr>
<tr>
<td>7</td>
</tr>
<tr>
<td>Committee Room</td>
</tr>
<tr>
<td>7</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MARCH 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DEVOLINE KOOPMAN</strong></td>
</tr>
<tr>
<td><strong>WARD/VENUE</strong></td>
</tr>
<tr>
<td>5</td>
</tr>
</tbody>
</table>
No CDW activities took place in April and May 2020 due to the Covid-19 pandemic.
COMMENTS FROM THE MUNICIPAL MANAGER
None

COMMENTS FROM CORPORATE SERVICES
Report to be noted by the Committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
Report Noted.

COMMENTS FROM LEGAL SERVICES
No comment

COMMENTS FROM IHS
Noted

FINANCIAL IMPLICATIONS
CDW Activities are supported from the CDW Grant

RELEVANT LEGISLATION
Memorandum of Agreement

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER
That the report on the Community Development Workers for January – May 2020 be noted.

File Number: 9/1/1/1
Execution: Municipal Manager
Director Financial Services
6.17

G17/07/2020 QUARTERLY PERFORMANCE REPORT – ECONOMIC DEVELOPMENT

REPORT FROM DIRECTOR: PLANNING AND DEVELOPMENT

PURPOSE OF THE REPORT


BACKGROUND

Council approved the Budget and Service Delivery and Budget Implementation Plan (SDBIP) for the Division Economic Development on 30 May 2019.

DISCUSSION

The attached report and addendums illustrate that the division Economic Development is achieving its targets in relation to the approved SDBIP and that it is expending its budget in accordance with the performance indicated.

It should be noted that the final approved budget did not make provision for the budget request for the performance items relating to the implementation of Tourism Plan and the Economic Development Strategy submitted during the 2019/2020 draft budget process. Other project activities indicated in the report will also be suspended or delayed to the new financial year due to the cash flow challenges.

COMMENTS FROM THE MUNICIPAL MANAGER
No further comments

COMMENTS FROM CORPORATE SERVICES
Report noted for consideration by the committee

COMMENTS FROM FINANCIAL SERVICES
Noted

COMMENTS FROM TECHNICAL SERVICES
None

COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
For consideration

COMMENTS FROM LEGAL SERVICES
None
COMMENTS FROM IHS
Noted and supported

BUDGET IMPLICATIONS
N/A

RELEVANT LEGISLATION
N/A

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER
That the Economic Development Department Quarterly Departmental Performance Report for Quarter 3 of 2019/2020 be noted.

ADDENDUMS

**ECONOMIC DEVELOPMENT: DEPARTMENTAL PERFORMANCE FOR JANUARY, FEBRUARY AND MARCH 2020**

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP QUARTER 3):**

<table>
<thead>
<tr>
<th>SDBIP REF</th>
<th>STRATEGIC OBJECTIVE</th>
<th>KPI</th>
<th>UNIT OF MEASUREMENT</th>
<th>ANNUAL TARGET</th>
<th>QUARTER 3 ACHIEVED</th>
<th>EXPLANATION</th>
<th>REMEDIAL ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D 10</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Expanded Public Works Programme (EPWP)</td>
<td>Number of EPWP opportunities created</td>
<td>1600</td>
<td>398 (1600/1600)</td>
<td>N/A</td>
<td>None required.</td>
</tr>
<tr>
<td><strong>D 158</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>SMME Training Programmes and Business Development Initiatives</td>
<td>Implement a minimum of 12 training and capacity building sessions</td>
<td>12</td>
<td>3</td>
<td>0 (Q3) (9/12 year to date)</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>D 159</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Investment Facilitation</td>
<td>Invest Krysta Brochure</td>
<td>1</td>
<td>0</td>
<td>0 (1/1)</td>
<td>Revised Invest Krysta brochure will be published by end June 2020.</td>
</tr>
<tr>
<td><strong>D 160</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Timber Sector Industry Workshop</td>
<td>Coordination of Timber Industry Workshop</td>
<td>1</td>
<td>1</td>
<td>1 (1/1)</td>
<td>Annual Target</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Achieved</td>
<td></td>
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<tr>
<td><strong>D 167</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>SMME Web-based Toolkit Development</td>
<td>Development of an SMME toolkit web portal and integrate with KwaZulu-Natal Municipal website.</td>
<td>1</td>
<td>0</td>
<td>1 [1/1] Annual Target Achieved The SMME Toolkit has been completed and integrated with the municipal website. Marketing and promotion of the Toolkit will take place in Q4 and ongoing in 2020/21. None required.</td>
<td></td>
</tr>
<tr>
<td><strong>D 168</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Business Development &amp; SMME Incubation</td>
<td>Initiate implementation of new SMME Incubator Programme.</td>
<td>1</td>
<td>1</td>
<td>1 [1/1] Annual Target Achieved SMME incubator programme is in the first phase of the recruitment process. Appointment of implementing agent in SCM process. None required.</td>
<td></td>
</tr>
<tr>
<td><strong>D 169</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Niche Manufacturing/ light industrial growth strategy</td>
<td>Development of a Niche Manufacturing/ light industrial growth strategy</td>
<td>1</td>
<td>0</td>
<td>0 [Q1] Annual Target Achieved Project postponed to new financial year due to COVID-19 business interruption. None required.</td>
<td></td>
</tr>
<tr>
<td><strong>D 170</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Implementation of Economic Development Strategy</td>
<td>Initiate 3 sector support initiatives in line with economic development strategy growth sectors.</td>
<td>3</td>
<td>0</td>
<td>2 [3/3] Annual Target Achieved Film industry, maritime manufacturing, and agricultural sector support initiatives commenced. Report submitted at previous Section None required.</td>
<td></td>
</tr>
<tr>
<td>#</td>
<td>MSCO short Code</td>
<td>Programme/ Project</td>
<td>Budget</td>
<td>Adjusted Balance &amp; Cash Flow</td>
<td>Progress/Comment</td>
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<tr>
<td>1</td>
<td>9/233-13-22</td>
<td>EPWP Grant</td>
<td>R 1 497 000</td>
<td>R 299 900</td>
<td>Expenditure on track as per business plan &amp; protocol agreement on EPWP wages. Finance department to do budget reconciliation for EPWP wages. All funds will be spent.</td>
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<td></td>
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<td></td>
<td>MARCH: R 74 975</td>
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<td>APRIL: R 74 975</td>
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<td>MAY: R 74 975</td>
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<td>JUNE: R 74 975</td>
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<tr>
<td>2</td>
<td>9/241-31-466</td>
<td>South Cape Economic Partnership</td>
<td>R 96 000</td>
<td>R 0</td>
<td>SCEP membership has been paid in full from budget allocation as per SCEP-Krynaua municipality service level agreement.</td>
<td></td>
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</tr>
<tr>
<td>3</td>
<td>9/233-113-400</td>
<td>SMME incubation Programme</td>
<td>R 568 000</td>
<td>R 500 000</td>
<td>Expenditure will commence once the recruitment and selection process has been concluded by end March and the implementing agent has been appointed. The implementing agent procurement is currently in evaluation and adjudication stage. Multi-year project with no expected project savings for this financial year. Note: The implementation of this project may be delayed by the SCM process to appoint the implementing agent. If the agent is not appointed, the project must be done in-house and may be delayed to only</td>
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<td>MARCH: R 0</td>
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<td>APRIL: R 250 000</td>
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<td></td>
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<td>MAY: R 250 000</td>
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<td></td>
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<td>JUNE: R 0</td>
<td></td>
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<tr>
<td></td>
<td>9/233-113-407</td>
<td>SMME Training Programmes</td>
<td>R 392 000</td>
<td>R 150 000</td>
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<td></td>
<td>MARCH: 37 500</td>
<td>APRIL: 37 500</td>
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<td></td>
<td></td>
<td></td>
<td>MAY: 37 500</td>
<td>JUNE: 37 500</td>
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<td></td>
<td></td>
<td>commences in the new financial year.</td>
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<td>4</td>
<td></td>
<td>The SMME training plan has been agreed to between K&amp;K and SEDA and first training sessions commenced in Sept 2019. 8 programmes completed to date with 152 beneficiaries trained. SEDA funded the training service providers in Q1 &amp; Q2. The project has been suspended due to the cash flow challenges. Training sessions rely on expenditure on catering, transport and venue hire.</td>
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<tr>
<td></td>
<td>9/233-113-464</td>
<td>Informal Trade</td>
<td>R 29 000</td>
<td>R 600</td>
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<td>5</td>
<td></td>
<td></td>
<td>N/A</td>
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<td></td>
<td></td>
<td>RPO for design and printing of new information fliers on informal trade application and regulation processes and seasonal trade demarcation signage will be advertised in February. This activity has been postponed to the new financial year.</td>
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<tr>
<td>6</td>
<td>9/233-113-462</td>
<td>Industry Sector Support</td>
<td>R 196 000</td>
<td>R 600</td>
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<td></td>
<td></td>
<td></td>
<td>N/A</td>
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<td></td>
<td></td>
<td>Expenditure on film industry support in Q1. RPO for expenditure on timber industry support, niche manufacturing growth strategy and agricultural sector support – this expenditure will be delayed once new budget is made available.</td>
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</tr>
<tr>
<td>7</td>
<td>9/233-113-428</td>
<td>Tourism Function (Outsourced)</td>
<td>R 4 312 000</td>
<td>R 2058 000</td>
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<td></td>
<td></td>
<td></td>
<td>MARCH: R 1 190 000</td>
<td>APRIL:</td>
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<td></td>
<td></td>
<td>MAY: R 1 100 000</td>
<td>JUNE:</td>
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<td></td>
<td>Expenditure on track as per WESGRO-Kynsna Municipality SLA payment schedule.</td>
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<tr>
<td>8</td>
<td>9/233-113-509</td>
<td>Investment Facilitation</td>
<td>R 29 400</td>
<td>R 600</td>
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<td></td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
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<td></td>
<td></td>
<td>Expenditure on Tourism product development in Q1 for CX Edify, trails mapping. Planned expenditure on update and reprint of Invest Kynsna and Kynsna in Numbers. The updating of data will be done internally, printing of hard copies will be delayed once budget is available.</td>
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</tbody>
</table>
6.18

G18/07/2020 QUARTER 4 (APRIL & MAY) PERFORMANCE REPORT – ECONOMIC DEVELOPMENT

REPORT FROM DIRECTOR: PLANNING AND DEVELOPMENT

PURPOSE OF THE REPORT

To report on the budgeted performance of the Economic Development Department for the months of April and May of the 4th Quarter of the 2019/2020 financial year.

BACKGROUND

Council approved the Budget and Service Delivery and Budget Implementation Plan (SDBIP) for the Division Economic Development on 30 May 2019.

DISCUSSION

The attached report and addendums illustrate that the division Economic Development is achieving its targets in relation to the approved SDBIP and that it is expending its budget in accordance with the performance indicated.

It should be noted that the final approved budget did not make provision for the budget request for the performance items relating to the implementation of Tourism Plan and the Economic Development Strategy submitted during the 2019/2020 draft budget process. Other project activities indicated in the report will also be suspended or delayed to the new financial year due to the cash flow challenges.

BUDGET IMPLICATIONS

N/A

RELEVANT LEGISLATION

N/A

COMMENTS FROM THE MUNICIPAL MANAGER

Noted

COMMENTS FROM CORPORATE SERVICES

Report noted for consideration by the committee

COMMENTS FROM FINANCIAL SERVICES

Noted

COMMENTS FROM TECHNICAL SERVICES

None
COMMENTS FROM COMMUNITY SERVICES
Noted. No further comments

COMMENTS FROM PLANNING AND DEVELOPMENT
For consideration

COMMENTS FROM LEGAL SERVICES
None

COMMENTS FROM IHS
Noted and supported.

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

That the Economic Development Department Departmental Performance Report for Quarter 4 (April & May) of 2019/2020 be noted.

ADDENDUMS

A. Economic Development Quarterly Report – April & May Quarter 4 of 2019/2020

**ECONOMIC DEVELOPMENT: DEPARTMENTAL PERFORMANCE FOR APRIL & MAY 2020**

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP QUARTER 4):**

<table>
<thead>
<tr>
<th>SDBIP REF</th>
<th>STRATEGIC OBJECTIVE</th>
<th>KPI</th>
<th>UNIT OF MEASUREMENT</th>
<th>ANNUAL TARGET</th>
<th>QUARTER TARGET</th>
<th>ACHIEVED</th>
<th>EXPLANATION</th>
<th>REMEDIAL ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>D 18</td>
<td>To create an enabling environment for social and economic development</td>
<td>Expanded Public Works Programme (EPWP)</td>
<td>Number of EPWP opportunities created.</td>
<td>1690</td>
<td>400</td>
<td>390 [1460/1690]</td>
<td>It is anticipated that less than the set target work opportunities will be created in Q4 due to COVID-19 interruption to EPWP programmes. It is possible that the annual target will still be achieved based on June 2020 EPWP employment figures.</td>
<td>None required.</td>
</tr>
<tr>
<td>D 158</td>
<td>To create an enabling environment for social and economic development</td>
<td>SMME Training Programmes and Business Development Initiatives</td>
<td>Implement a minimum of 12 training and capacity building sessions.</td>
<td>12</td>
<td>3</td>
<td>0 (Q4) [9/12 year to date]</td>
<td>Training has been suspended due to COVID-19. Virtual SMME training may take place in partnership with SEDA in June 2020.</td>
<td>None required.</td>
</tr>
<tr>
<td>D</td>
<td>Description</td>
<td>Division</td>
<td>Target</td>
<td>Status</td>
<td>Notes</td>
<td></td>
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</tr>
<tr>
<td>159</td>
<td>To create an enabling environment for social and economic development</td>
<td>Investment Facilitation</td>
<td>1</td>
<td>D</td>
<td>Revised Invest Kryana brochure with updated date will be completed by end June 2020.</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>To create an enabling environment for social and economic development</td>
<td>Timber Sector Industry Workshop</td>
<td>1</td>
<td>0</td>
<td>The workshop took place 12th March 2020 during the Kryana Timber Festival. Summary report will be included in Q4 reporting end June 2020.</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>167</td>
<td>To create an enabling environment for social and economic development</td>
<td>SMME Web-based Toolkit Development</td>
<td>1</td>
<td>D</td>
<td>The SMME Toolkit has been completed and integrated with the Kryana Municipality website.</td>
<td>None required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>168</td>
<td>To create an enabling environment for social and economic development</td>
<td>Business Development &amp; SMME Incubation</td>
<td>1</td>
<td>0</td>
<td>SMME incubator programme is in the first phase of the implementation process. Appointment of implementing agent.</td>
<td>None required.</td>
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<tr>
<td><strong>D 169</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Niche Manufacturing/ light industrial growth strategy</td>
<td>Development of a Niche Manufacturing/ light industrial growth strategy</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>Project postponed to new financial year due to COVID-19.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Manufacturing firms could not be interviewed and only preliminary background research has been done.</td>
<td></td>
</tr>
<tr>
<td><strong>D 170</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Implementation of Economic Development Strategy</td>
<td>Initiate 3 sector support initiatives in line with economic development strategy growth sectors.</td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>Film industry, maritime manufacturing, and agricultural sector support initiatives commenced. Report submitted at previous Section 60.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>None</td>
<td></td>
</tr>
<tr>
<td><strong>D 171</strong></td>
<td>To create an enabling environment for social and economic development</td>
<td>Implementation of Tourism Development Programme:</td>
<td>Initiate First Phase Tourism Development Programme – pilot strategy interventions conducted.</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>Budget request to implement tourism plan was not granted. Emerging tourism operators empowerment workshop held 11th &amp; 12th February. Refer to Annexure D in previous</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>None</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Funding for programme requested in 2020/21 OPEX</td>
<td></td>
</tr>
</tbody>
</table>
## ECONOMIC DEVELOPMENT DEPARTMENT BUDGET & CASH FLOW REPORT 2019/2020

<table>
<thead>
<tr>
<th>#</th>
<th>MSCOA SHORT CODE</th>
<th>PROGRAMME/PROJECT</th>
<th>BUDGET</th>
<th>ADJUSTED BALANCE &amp; PROJECTED CASH FLOW</th>
<th>PROGRESS/COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>9/233-13-22</td>
<td>EPWP Grant</td>
<td>R 1,497,000</td>
<td>R 204,763</td>
<td>Expenditure on track as per business plan &amp; protocol agreement on EPWP wages. Finance department to do budget reconciliation for EPWP wages. All funds will be spent by June 2020.</td>
</tr>
<tr>
<td>2</td>
<td>9/241-31-466</td>
<td>South Cape Economic Partnership</td>
<td>R 99,000</td>
<td>R 0</td>
<td>N/A</td>
</tr>
<tr>
<td>3</td>
<td>9/233-113-490</td>
<td>SMME Incubation Programme</td>
<td>R 588,000</td>
<td>R 500,000</td>
<td>SCEP membership has been paid in full from budget allocation as per SCEP-Khanya municipality service level agreement.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>APRIL: R 0</td>
<td>MAY: R 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>JUNE: R 0</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>9/233-113-497</td>
<td>SMME Training Programmes</td>
<td>R 392,000</td>
<td>R 150,000</td>
<td>Expenditure will commence once the recruitment and selection process has been concluded. The implementing agent Procurement is currently at evaluation and adjudication stage. The implementation of this project may be delayed by the SCM process to appoint the implementing agent and COVID 19 interruption. It is anticipated that the project will commence in the new financial year and therefore the balance of funds will be saved in 2019/2020.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>APRIL: R 0</td>
<td>MAY: R 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>JUNE: R 0</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>9/233-113-464</td>
<td>Informal Trade</td>
<td>R 29,000</td>
<td>R 0</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
<td>Informal trade permits to be processed as in the past and notices to the public will be done in-house through the communications department.</td>
</tr>
<tr>
<td>6</td>
<td>9/233-113-462</td>
<td>Industry Sector</td>
<td>R 196,000</td>
<td>R 0</td>
<td>Expenditure on film industry support in Q1. RFO for</td>
</tr>
<tr>
<td></td>
<td>Support</td>
<td>N/A</td>
<td>Expenditure on timber industry support, niche manufacturing growth strategy and agricultural sector support — this expenditure will be delayed to when new budget is made available in 2020/21.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------</td>
<td>-------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>9/233-113-428</td>
<td>R 4 312 000</td>
<td>Expenditure on track as per WESGRO-Knysna Municipality SLA payment schedule.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tourism Function (Outsourced)</td>
<td>R 2 058 000</td>
<td>APRIL: R 0  MAY: R 0  JUNE: R 1 100 000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Expenditure on track as per WESGRO-Knysna Municipality SLA payment schedule.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>9/233-113-509</td>
<td>R 26 400</td>
<td>The updating of data for InvestKnysna marketing material will be done internally; printing of hard copies will be delayed to when budget is available.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Investment Facilitation</td>
<td>R 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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### 6.19

**G19/07/2020  REPORT ON HUMAN RESOURCES MATTERS FOR QUARTER 3 OF 2019/2020 FINANCIAL YEAR**

**REPORT FROM DIRECTOR: CORPORATE SERVICES**

**PURPOSE OF THE REPORT**

To report to the Committee on the human resources matters and activities for the third quarter of 2019/2020.

**DISCUSSION**

The tables below give an account of HR activities for the third quarter, starting from January to March 2020 and will address the following:

#### 1. APPOINTMENTS

**JANUARY 2020**

<table>
<thead>
<tr>
<th>NAME</th>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ms. Z Stuurman</td>
<td>Senior Clerk: Legal Services</td>
<td>Corporate Services</td>
</tr>
</tbody>
</table>

**FEBRUARY 2020**

<table>
<thead>
<tr>
<th>NAME</th>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ms. N Pondoyi</td>
<td>Communications Officer</td>
<td>MM</td>
</tr>
<tr>
<td>2. Ms. M Chili</td>
<td>Senior Environmental Officer</td>
<td>Planning &amp; Development</td>
</tr>
<tr>
<td>3. Mr. MD Musekene</td>
<td>Senior Environmental Officer</td>
<td>Planning &amp; Development</td>
</tr>
<tr>
<td>4. Ms. C Chordnum</td>
<td>Manager IDP &amp; PMS</td>
<td>MM</td>
</tr>
<tr>
<td>5. Ms. A Mlete</td>
<td>MFMA Intern</td>
<td>Finance</td>
</tr>
<tr>
<td>6. Ms. CT Swartland</td>
<td>MFMA Intern</td>
<td>Finance</td>
</tr>
<tr>
<td>7. Mr. P Ngubeni</td>
<td>MFMA Intern</td>
<td>Finance</td>
</tr>
<tr>
<td>8. Mr. PS Ntanyana</td>
<td>MFMA Intern</td>
<td>Finance</td>
</tr>
</tbody>
</table>

**MARCH 2020**

<table>
<thead>
<tr>
<th>NAME</th>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ms. Ray-Dean Miles</td>
<td>Assistant Accountant: FinancialStatements, Compliance &amp; Reporting</td>
<td>Financial Services</td>
</tr>
</tbody>
</table>

#### 2. TERMINATIONS

**JANUARY 2020**

<table>
<thead>
<tr>
<th>NAME</th>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
<th>REASON FOR TERMINATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mr. Richard H Motha</td>
<td>General Assistant: Sanitation Fieldworker</td>
<td>Community Services</td>
<td>Retirement</td>
</tr>
<tr>
<td>2. Mr. M Makala</td>
<td></td>
<td>Planning &amp; Development</td>
<td>Resignation</td>
</tr>
</tbody>
</table>

**FEBRUARY 2020**

<table>
<thead>
<tr>
<th>NAME</th>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
<th>REASON FOR TERMINATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mr. Winston FJ Meyer</td>
<td>Senior Clerk: HR</td>
<td>Corporate Services</td>
<td>Resignation</td>
</tr>
<tr>
<td>2. Ms. Belinda Hobson.</td>
<td>PA Executive and Council</td>
<td>Corporate Services</td>
<td>Resignation</td>
</tr>
<tr>
<td>3. Mr. Solomzi P Tyatyeka</td>
<td>Protection Attendant</td>
<td>Community Services</td>
<td>Resignation</td>
</tr>
</tbody>
</table>

**MARCH 2020**
1. TRAINING AND DEVELOPMENT

**JANUARY 2020**

<table>
<thead>
<tr>
<th>NAME OF TRAINING PROGRAMME AND TRAINING PROVIDER</th>
<th>NUMBER OF PARTICIPANTS</th>
<th>DIRECTORATE AFFECTED</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. NC: Water and Waste Water Reticulation Processes. NQF 2</td>
<td>10</td>
<td>Technical Services</td>
<td>Discretionary Grant</td>
</tr>
<tr>
<td>2. AET</td>
<td>9</td>
<td>Technical, Community Services</td>
<td>R10 800.00</td>
</tr>
<tr>
<td>3. NC: Environmental Practice NQF 2</td>
<td>15</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FEBRUARY 2020**

<table>
<thead>
<tr>
<th>NAME OF TRAINING PROGRAMME AND TRAINING PROVIDER</th>
<th>NUMBER OF PARTICIPANTS</th>
<th>DIRECTORATE AFFECTED</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. NC: Water and Waste Water Reticulation processes NQF 2</td>
<td>10</td>
<td>Technical Services</td>
<td>Discretionary Grant</td>
</tr>
<tr>
<td>2. AET</td>
<td>9</td>
<td>Technical, Community Services</td>
<td>R10 800.00</td>
</tr>
</tbody>
</table>

**MARCH 2020**

<table>
<thead>
<tr>
<th>NAME OF TRAINING PROGRAMME AND TRAINING PROVIDER</th>
<th>NUMBER OF PARTICIPANTS</th>
<th>DIRECTORATE AFFECTED</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. NC: Water and Waste Water Reticulation processes NQF 2</td>
<td>10</td>
<td>Technical Services</td>
<td>Discretionary Grant</td>
</tr>
<tr>
<td>2. AET</td>
<td>9</td>
<td>Technical, Community Services</td>
<td>R10 800.00</td>
</tr>
</tbody>
</table>

2. DISCIPLINARY HEARINGS, CONCILIATIONS AND ARBITRATIONS

<table>
<thead>
<tr>
<th>No. of Empl.</th>
<th>Directorate</th>
<th>Nature of Charge</th>
<th>Details of Discip. Hearing / Appeal</th>
<th>January Outcome</th>
<th>February Outcome</th>
<th>March Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Planning &amp; Development</td>
<td>Dishonesty; Gross Negligence; Conflict of Interest; Failure to obey lawful and reasonable instruction</td>
<td>Disciplinary Hearing</td>
<td>Matter commenced 11 October 2019. Matter continued on 3 and 4 December 2019. To continue on 4 and 5 February 2020</td>
<td>Matter postponed to 3 and 4 March 2020.</td>
<td>Matter postponed sine dies</td>
</tr>
</tbody>
</table>
GOVERNANCE & ECONOMIC DEVELOPMENT COMMITTEE MEETING
AGENDA
7 JULY 2020

3. CCMA, CONCILIATION AND ARBITRATIONS

<table>
<thead>
<tr>
<th>No. of Empl.</th>
<th>Directorate</th>
<th>Nature of Charge / Dispute</th>
<th>Details of Con / Arb</th>
<th>January 2020</th>
<th>February 2020</th>
<th>March 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Infrastructure Services</td>
<td>Alleged Unfair Dismissal</td>
<td>Conciliation</td>
<td>Conciliation remains unresolved. Await Arbitration date.</td>
<td>Await Arbitration date.</td>
<td>Await Arbitration date.</td>
</tr>
</tbody>
</table>

RELEVANT LEGISLATION

Local Government: Municipal Systems Act, as amended
Labour Relations Act, as amended;
Skills Development Act

FINANCIAL IMPLICATIONS

MTREF Operational budget – 2019/2020

RECOMMENDATION FROM THE ACTING MUNICIPAL MANAGER

That the Financial & Corporate Services Committee notes the quarterly report on the Human Resources activities for the period January to March 2020.

File Number : 9/1/2/9
Execution : Director : Corporate Services
            Manager : Human Resources

6.20

G20/07/2020 REPORT ON HUMAN RESOURCES MATTERS FOR QUARTER 4 OF 2019/2020 FINANCIAL YEAR
REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To report to the Committee on the human resources matters and activities for the fourth quarter of 2019/2020.

DISCUSSION

The tables below give an account of HR activities for the fourth quarter, starting from April to May 2020 and will address the following:

2. APPOINTMENTS

<table>
<thead>
<tr>
<th>APRIL 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME</strong></td>
</tr>
<tr>
<td>2. Ms. Kate Southey</td>
</tr>
<tr>
<td>3. Mr. MB Mato</td>
</tr>
<tr>
<td>4. Ms. Y Pambaniso</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Ms. S Fourie</td>
</tr>
<tr>
<td>10. Ms. C Bezuidenhout</td>
</tr>
</tbody>
</table>

2. TERMINATIONS

<table>
<thead>
<tr>
<th>APRIL 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME</strong></td>
</tr>
<tr>
<td>1. Ms. PO Davidson</td>
</tr>
<tr>
<td>2. Mr. JN Williams</td>
</tr>
<tr>
<td>3. Mr. D Meaker</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Ms. L Koopa</td>
</tr>
<tr>
<td>5. Mr. F Leen</td>
</tr>
<tr>
<td>6. Mrs. EM Gesels</td>
</tr>
</tbody>
</table>

4. TRAINING AND DEVELOPMENT

<table>
<thead>
<tr>
<th>APR 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME OF TRAINING PROGRAMME AND TRAINING PROVIDER</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
4. NONE

<table>
<thead>
<tr>
<th>MAY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Handling and use of guns for business purposes</td>
</tr>
</tbody>
</table>

5. DISCIPLINARY HEARINGS, CONCILIATIONS AND ARBITRATIONS

<table>
<thead>
<tr>
<th>No. of Empl.</th>
<th>Directorate</th>
<th>Nature of Charge</th>
<th>Details of Discip. Hearing / Appeal</th>
<th>April Outcome</th>
<th>May Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Planning &amp; Development</td>
<td>Dishonesty; Gross Negligence; Conflict of Interest; Failure to disobey lawful and reasonable instruction</td>
<td>Disciplinary Hearing</td>
<td>Matter postponed sine dies</td>
<td>Matter to continue on 17 &amp; 18 June 2020</td>
</tr>
<tr>
<td>1</td>
<td>Infrastructure Services</td>
<td>Theft / Gross Dishonesty</td>
<td>Disciplinary Hearing</td>
<td>Await Sanction</td>
<td>Dismissed – 29 April 2020; lodged an appeal.</td>
</tr>
<tr>
<td>1</td>
<td>Infrastructure Services</td>
<td>Theft / Gross Dishonesty</td>
<td>Disciplinary Hearing</td>
<td>Guilty – 19 March 2020</td>
<td>Await Sanction</td>
</tr>
<tr>
<td>1</td>
<td>Planning &amp; Development</td>
<td>Absenteeism; Insubordination</td>
<td>Disciplinary Hearing</td>
<td>26 March 2020 - dismissed</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Corporate Services</td>
<td>Absenteeism; Insubordination</td>
<td>Disciplinary Hearing</td>
<td></td>
<td>To commence 9 June 2020</td>
</tr>
<tr>
<td>1</td>
<td>Planning &amp; Development</td>
<td>Gross negligence; Absconding, Dishonesty</td>
<td>Disciplinary Hearing</td>
<td></td>
<td>To commence 12 June 2020</td>
</tr>
<tr>
<td>2</td>
<td>Planning &amp; Development</td>
<td>Overdue Collab tasks</td>
<td>Disciplinary Hearing</td>
<td>Matter scheduled for 10 &amp; 11 June 2020</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Finance</td>
<td>Overdue Collab tasks</td>
<td>Disciplinary Hearing</td>
<td>Matter scheduled for 10 &amp; 11 June 2020</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Infrastructure Services</td>
<td>Overdue Collab tasks</td>
<td>Disciplinary Hearing</td>
<td>Matter scheduled for 10 &amp; 11 June 2020</td>
<td></td>
</tr>
</tbody>
</table>
SALGBC / CCMA MATTERS: APRIL - MAY 2020

<table>
<thead>
<tr>
<th>No. of Empl.</th>
<th>Directorate</th>
<th>Nature of Charge / Dispute</th>
<th>Details of Con / Arb</th>
<th>April 2020</th>
<th>May 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Planning &amp; Development</td>
<td>Alleged Unfair Dismissal</td>
<td>Conciliation</td>
<td>Await Arbitration date.</td>
<td>Await Arbitration date.</td>
</tr>
<tr>
<td>1</td>
<td>Community Services</td>
<td>Alleged Unfair Dismissal</td>
<td>Arbitration</td>
<td>Await new Arbitration date.</td>
<td>Await new Arbitration date.</td>
</tr>
</tbody>
</table>

RELEVANT LEGISLATION

Local Government: Municipal Systems Act, as amended
Labour Relations Act, as amended;
Skills Development Act

FINANCIAL IMPLICATIONS

MTREF Operational budget – 2019/2020

RECOMMENDATION FROM THE ACTING MUNICIPAL MANAGER

That the Financial & Corporate Services Committee notes the quarterly report on the Human Resources activities for the period April to May 2020.

File Number : 9/1/2/9
Execution : Director : Corporate Services
Manager : Human Resources

6.21

G21/07/2020 REPORT ON OHS AND EMPLOYEE MATTERS FOR QUARTER 3 & 4 : JANUARY 2020 TO MAY 2020
REPORT FROM DIRECTOR : CORPORATE SERVICES

PURPOSE OF THE REPORT

To report to the Committee on the OHS and Employee Wellness matters and activities for the 3rd and 4th quarter of 2019/2020.

DISCUSSION

The tables below give an account of activities for the third and fourth quarter, starting from January to May 2020 and will address the following:

<table>
<thead>
<tr>
<th>DATE</th>
<th>DIRECTORATE</th>
<th>JOB DESIGNATION</th>
<th>NATURE OF INCIDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/01</td>
<td>Technical</td>
<td>Meter reader</td>
<td>Stung by bee</td>
</tr>
<tr>
<td>22/01</td>
<td>Community</td>
<td>General worker</td>
<td>Right ankle twisted</td>
</tr>
<tr>
<td>15/01</td>
<td>Community</td>
<td>General worker</td>
<td>Finger on right hand</td>
</tr>
<tr>
<td>15/01</td>
<td>Technical</td>
<td>Meter reader</td>
<td>Dog bite</td>
</tr>
<tr>
<td>22/01</td>
<td>Community</td>
<td>General worker</td>
<td>Left leg injury</td>
</tr>
<tr>
<td>27/01</td>
<td>Technical</td>
<td>General assistant</td>
<td>Left shoulder strain</td>
</tr>
<tr>
<td>12/02</td>
<td>Technical</td>
<td>Driver/operator</td>
<td>Left finger injury</td>
</tr>
<tr>
<td>3/02</td>
<td>Technical</td>
<td>General worker</td>
<td>Back injury</td>
</tr>
<tr>
<td>3/02</td>
<td>Community</td>
<td>Fire fighter</td>
<td>Left foot injury</td>
</tr>
<tr>
<td>18/02</td>
<td>Technical</td>
<td>General assistant</td>
<td>Allergy</td>
</tr>
<tr>
<td>2/03</td>
<td>Technical</td>
<td>Secretary</td>
<td>Burn wounds</td>
</tr>
<tr>
<td>3/03</td>
<td>Technical</td>
<td>Plumber</td>
<td>Cut left foot</td>
</tr>
<tr>
<td>9/03</td>
<td>Community</td>
<td>Small plant operator</td>
<td>Head/neck injury</td>
</tr>
<tr>
<td>10/03</td>
<td>Community</td>
<td>Care taker sportfields</td>
<td>Right ankle twisted</td>
</tr>
<tr>
<td>13/03</td>
<td>Technical</td>
<td>Meter reader</td>
<td>Chemical spill</td>
</tr>
<tr>
<td>17/03</td>
<td>Technical</td>
<td>General assistant</td>
<td>Accident right shoulder</td>
</tr>
<tr>
<td>17/03</td>
<td>Technical</td>
<td>General assistant</td>
<td>Accident right arm/chest</td>
</tr>
<tr>
<td>17/03</td>
<td>Technical</td>
<td>General assistant</td>
<td>Accident right shoulder</td>
</tr>
<tr>
<td>17/03</td>
<td>Technical</td>
<td>General assistant</td>
<td>Accident shoulder</td>
</tr>
<tr>
<td>17/03</td>
<td>Technical</td>
<td>General assistant</td>
<td>Accident right shoulder</td>
</tr>
<tr>
<td>17/03</td>
<td>Technical</td>
<td>Cleaner</td>
<td>Back injury</td>
</tr>
</tbody>
</table>
### 2. Ill-Health/Incapacity Cases

<table>
<thead>
<tr>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreman : Water Sewerage</td>
<td>Technical</td>
</tr>
<tr>
<td>Human Settlement : Officer</td>
<td>Integrated Human Settlements</td>
</tr>
</tbody>
</table>

### 1. Light Duty Cases

<table>
<thead>
<tr>
<th>JOB DESIGNATION</th>
<th>DIRECTORATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Plant Operator</td>
<td>Community Services</td>
</tr>
<tr>
<td>Small Plant Operator</td>
<td>Community Services</td>
</tr>
<tr>
<td>Small Plant Operator</td>
<td>Community Services</td>
</tr>
<tr>
<td>Small Plant Operator</td>
<td>Community Services</td>
</tr>
<tr>
<td>Small Plant Operator</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Assistant</td>
<td>Finance Directorate</td>
</tr>
<tr>
<td>Artisan Brick Layer</td>
<td>Technical Services</td>
</tr>
<tr>
<td>Handy Man Assistant</td>
<td>Technical Services</td>
</tr>
<tr>
<td>General Assistant: Roads</td>
<td>Technical Services</td>
</tr>
<tr>
<td>Meter Reader</td>
<td>Finance</td>
</tr>
<tr>
<td>General Assistant</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Assistant</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Assistant</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Worker</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Assistant</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Assistant</td>
<td>Community Services</td>
</tr>
<tr>
<td>General Worker</td>
<td>Community Services</td>
</tr>
</tbody>
</table>

### 2. Medical Examinations

<table>
<thead>
<tr>
<th>Number of Staff</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Staff members – Working on Hights</td>
<td>Finance - IT</td>
</tr>
</tbody>
</table>
## 3. OHS Inspection:

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 May 2020</td>
<td>Technical/Community/Corporate</td>
</tr>
<tr>
<td>5 May 2020</td>
<td>Technical/Community in Sedgefield</td>
</tr>
<tr>
<td>6 May 2020</td>
<td>Technical in Rheenendal</td>
</tr>
<tr>
<td>8 May 2020</td>
<td>Community/Corporate/MM office</td>
</tr>
<tr>
<td>11 May 2020</td>
<td>Technical in Karatara and Sedgefield</td>
</tr>
<tr>
<td>12 May 2020</td>
<td>Finance</td>
</tr>
<tr>
<td>13 May 2020</td>
<td>Finance/Technical/Community at Stores Depot</td>
</tr>
<tr>
<td>14/15 May 2020</td>
<td>Community/Technical at Old Building/ Sedgefield</td>
</tr>
<tr>
<td>19 May 2020</td>
<td>Sedgefield Community/Technical</td>
</tr>
<tr>
<td>26 May 2020</td>
<td>Technical (Green Store)</td>
</tr>
<tr>
<td>29 May 2020</td>
<td>Technical – Customer Care/Stores Depot</td>
</tr>
<tr>
<td>1 June 2020</td>
<td>Technical – Belvidere</td>
</tr>
<tr>
<td>2 June 2020</td>
<td>Technical – Customer Care</td>
</tr>
<tr>
<td>3 June 2020</td>
<td>Technical - George Rex</td>
</tr>
<tr>
<td>4 June 2020</td>
<td>Community – Cemetery</td>
</tr>
<tr>
<td>9 June 2020</td>
<td>Community- Clyde str/Technical Old Building</td>
</tr>
<tr>
<td>11 June 2020</td>
<td>Community/ Parks</td>
</tr>
</tbody>
</table>

## 6. OHS Meetings:

- 12 March 2020 – Directorate Technical services

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**RELEVANT LEGISLATION**

Occupational Health & Safety Act 85 of 1993  
Compensation of Occupational Injuries & Diseases Act

**FINANCIAL IMPLICATIONS**

MTREF Operational budget – 2019/2020

**RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

That the Financial & Corporate Services Committee notes the quarterly report on the OHS & Employee Wellness activities for the period.

File Number: 9/1/2/9  
Execution: Director: Corporate Services  
Manager: Human Resources
7. IN COMMITTEE ITEMS

8. CLOSURE

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