

**AGENDA of the  
Portfolio Committee : Community Services  
08 November 2023  
(Also the agenda for the Mayoral Committee Meeting : 15 November 2023)**

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9.

**HOUSING: PROGRESS REPORT ON TRANSFER OF PROPERTIES TO VARIOUS BENEFICIARIES OF LOW-COST HOUSING IN THE OVERSTRAND AREA FOR THE PERIOD 18 JANUARY 2023 TO 20 OCTOBER 2023**

**TA Gcotyelwa  
20 October 2023**

**Acting Senior Manager: Corporate Projects**

**(028) 313 8144**

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**1. Executive Summary**

The purpose of the report is to inform the Executive Mayor of progress made to date with the transfers of title deeds in the names of beneficiaries of low-cost housing projects.

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Community Services  
Housing Administration

**3. Compliance with Strategic Priorities**

Provision of democratic, accountable, and ethical governance  
Provision and maintenance of municipal services  
Creation and maintenance of a safe and healthy environment

**4. Delegated Authority**

Executive Mayor

**5. Legal Requirements**

Constitution of the Republic of South Africa, 1996  
Housing Act 107 of 1997  
Local Government: Municipal Finance Management Act No 56 of 2003

**6. Background/Discussion/Evaluation/Conclusion**

**Background**

Various low cost housing projects have been developed in the Overstrand area over a number of years (refer to annexure A). A total number of 41 projects have been developed over the years.

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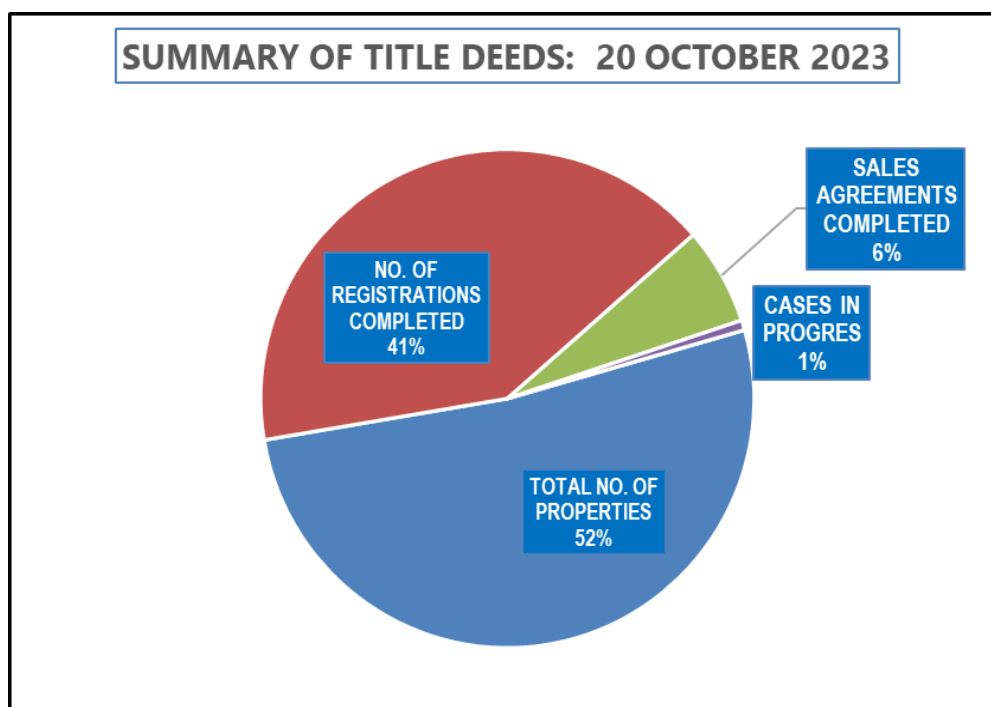
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<b>PROJECT</b>	<b>NUMBER OF PROJECTS</b>	<b>TOTAL HOUSING UNITS</b>
Pre 1994 old schemes	12	1773
Reconstruction and development	29	7554
<b>TOTAL</b>	<b>41</b>	<b>9327</b>

### Current Status

(a) Number of transfers

A total number of 9327 low-cost housing properties have been developed, of which 7328 properties have been transferred to date.



*Table 1: Transfers to beneficiaries to date*

(b) Current projects

The following projects are currently in progress:

<b>Area</b>	<b>Type of Project</b>	<b>Housing Opportunities</b>
Hawston	Affordable erven (FLISP)	107
Mount Pleasant	Affordable erven (FLISP)	22
Mount Pleasant and Westdene	Affordable erven (FLISP)	215
Gansbaai: Fountain Hill	Affordable erven (FLISP)	124

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Zwelihle	IRDP	150
Stanford	IRDP	621
Zwelihle	Hostel Redevelopment	90
Gansbaai: Blompark	IRDP	539
Gansbaai: Masakhane	IRDP	295
Gansbaai: Masakhane	Upgrading of informal settlements	1184
<b>TOTAL</b>		<b>3347</b>

### Discussion

#### Delay with transfers

Transfers to beneficiaries were delayed/hampered due to the following reasons:

- **Appointment of a panel of attorneys**

From July 2020 to 12 December 2022 the Municipality did not have the tender for a panel of attorneys for the rendering of conveyancing and notary services, the delay on appointment of a panel of attorneys has had a negative impact on the transfer of low-cost housing properties.

- **Rates Clearance**

Low-cost housing projects may be exempted from rates clearance certificates in terms of sections 118(4) (a) of the Local Government: Municipal Systems Act 32 of 2000. The former municipal manager granted approval that the last-mentioned amendment of the Act be used in order to fast track transfer. Affected residents remain liable for the payment of any outstanding services accounts.

- **Interdicts at Deeds Office**

Some of the properties in Hawston were affected by the Proclamation of the Provincial Notice PN494/2000 and The Municipal Demarcation Act, Act 27 Of 1998, Case No: 13401/1992. Hawston 107 serviced sites, Zwelihle Site C1 and C2 were affected by the interdict due to beacons have not been placed subsequent to that general plans were not yet approved by the Survey General.

- **Lost or Destroyed Deed (Mother title deed)**

In order to complete some of the transactions for Zwelihle, Gansbaai and Hawston the appointed attorneys had to start with the procedure or

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application to get the certified copy of Certificate of Registered Title in terms of regulation 68 of the Deeds Registries Act ,1937.

- **Outstanding Deeds of Sale**

Challenges

The following challenges are experienced in concluding the sale agreement with beneficiaries and transfers:

- ✓ the original beneficiary has passed away;
- ✓ the original beneficiary left Overstrand area and cannot be traced; and

**Way Forward**

The Housing Department is still in process to finalise the outstanding sale agreements in cases where the original tenant(s) or beneficiary(ies) are no longer available.

**7. Financial Implications**

The Title Deeds Restoration grant funding in the amount of R766,000.00 was obtained from the Western Cape: Department of Infrastructure, Human Settlements branch to cover the conveyancing cost of R2,000.00 per transfer, excluding Deeds office fees in the amount of R136.00 per transfer.

The Municipality contributed an amount of R125,000.00 to cover the cost of Lost or Destroyed Deed, registration of Township establishment / General Plans, rectification of Title Deeds, obtain the certified copies of the erf subdivisions and diagrams.

Source of Funding eg. Capital/Operating Budget Provisions

Unique Key	: 20211125072013
Cost Account	: 12900201140000
Item Description	: Legal advice and litigation
Budget Provision 2023/2024	: R 766,000.00
Spent to Date/Committed	: R 429,219.00
Balance Available	: R 336,781.00
Funds Required (*This report)	: R 0.00

Unique Key	: 20210629091902
Cost Account	: 12900201150000
Item Description	: Issue of Summons
Budget Provision 2023/2024	: R 125,000.00
Spent to Date/Committed	: R 79,973.79
Balance Available	: R 45,026.21

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Funds Required (\*This report) : R 0.0

**8. Staff Implications**

None

**9. Comments from other Departments, Divisions and Administrations**

None

**10. Annexures**

Annexure A: Report: Transfer of properties up to 20 October 2023

**RECOMMENDATION:**

that the report in respect of transfers to beneficiaries of low-cost housing properties **be noted**.

**RESPONSIBLE OFFICIAL :**

**TA GCOTYELWA**

**TARGET DATE FOR IMPLEMENTATION :**

**IN PROGRESS**



## OVERSTRAND MUNICIPALITY

## TRANSFER OF PROPERTIES UP TO 20 OCTOBER 2023



OVERSTRAND : SUMMARY OF SUBSIDY HOUSING SCHEMES PRE 1994								
NO.	PROJECT PHASE AND DESCRIPTION	TOTAL NO. OF PROPERTIES	REPORT AS 21 FEBRUARY 2022			REPORT AS 20 OCTOBER 2023		
			NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES	NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES
1	Betty's Bay : Mooiuitsig	12	3	9	0	12	0	0
2	Gansbaai: Old Scheme	185	173	9	3	173	9	3
3	Gansbaai: Selfbou	49	46	3	0	46	3	0
4	Gansbaai: Pearly Beach (Eluxolweni)	8	0	0	0	0	4	4
5	Hawston : Selfbuild	93	91	2	0	88	5	0
6	Hawston Old Scheme	483	441	42	0	447	36	0
7	Hermanus : Mount Pleasant Old Scheme	184	176	8	0	184	0	0
8	Hermanus: Mount Pleasant Selfbou	127	116	11	0	118	9	0
9	Hermanus : Zwelihle Old Scheme	171	163	5	3	170	0	1
10	Kleinmond : Proteadorp	315	257	57	1	298	16	1
11	Stanford: Old Scheme	78	76	2	0	76	2	0
12	Stanford: Selfbou	68	63	5	0	63	5	0
<b>Sub Totals</b>		<b>1773</b>	<b>1605</b>	<b>153</b>	<b>7</b>	<b>1675</b>	<b>89</b>	<b>9</b>

OVERSTRAND : SUMMARY OF SUBSIDY HOUSING SCHEMES 1995 - 2014								
NO.	PROJECT PHASE AND DESCRIPTION	TOTAL NO. OF PROPERTIES	REPORT AS 21 FEBRUARY 2022			REPORT AS 20 OCTOBER 2023		
			NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES	NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES
13	Betty's Bay:Mooi Uitsig 35 Blocked:(Phase 1)	20	16	4	0	19	0	1
14	Betty's Bay:Mooi Uitsig 35 Blocked:(Phase 2)	13	13	0	0	13	0	0
15	Gansbaai 500 (Phase 1)	480	479	1	0	480	0	0
16	Gansbaai and Pearly Beach: 390 (Phase 1)	390	373	8	9	376	5	9
17	Hawston 182 Services and Top Structures	182	172	10	0	172	5	5
18	Hawston 350 (Phase 1)	350	344	6	0	344	6	0
19	Hermanus consolidations 460 (Phase 1)	460	442	1	17	443	0	17
20	Hermanus: Mount Pleasant 350 (Phase1)	350	346	3	1	346	3	1
21	Hermanus: Zwelihle 1578 (Phase 1)	1543	1426	62	26	1437	51	26
22	Hermanus: Zwelihle 283 (Phase 1)	221	171	45	5	183	33	5
23	Hermanus: Zwelihle 90 (Peach house)	90	0	0	0	0	51	39
24	Kleinmond 201 (Phase 1)	201	201	0	0	201	0	0
25	Kleinmond 410 units (Phase 2)	410	375	35	0	375	35	0
26	Pearly Beach: Eluxolweni - 183 (Phase 1)	183	182	1	0	182	1	0
27	Stanford : Blomtuin/ erf 394-388 (Phase 1)	378	378	0	0	378	0	0
28	Stanford 88 (Phase II: 88 Top structures)	88	81	7	0	81	7	0
<b>Sub Totals</b>		<b>5359</b>	<b>4999</b>	<b>183</b>	<b>58</b>	<b>5030</b>	<b>197</b>	<b>103</b>

OVERSTRAND : SUMMARY OF SUBSIDY HOUSING SCHEMES 2016-2023								
NO.	PROJECT PHASE AND DESCRIPTION	TOTAL NO. OF PROPERTIES	REPORT AS 21 FEBRUARY 2022			REPORT AS 20 OCTOBER 2023		
			NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES	NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES
29	IRDP: ZWELIHLE (GARDEN SITE 58)	58	0	58	0	0	58	0
30	IRDP: ZWELIHLE (ADMIN SITE)	39	0	39	0	0	39	0
31	IRDP: ZWELIHLE (SITE C2- 132)	132	0	129	3	0	129	3
32	IRDP: ZWELIHLE (SITE C1 - 150)	150	0	30	0	0	145	0
33	IRDP: MT PLEASANT 172 (CEMENTRY SITE)	172	172	0	0	172	0	0
34	IRDP: MT PLEASANT 48 (SITE A - SWARTDAM ROAD)	48	47	1	0	47	1	0

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			NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES	NO. OF REGISTRATIONS	SALES AGREEMENTS COMPLETED	CASES IN PROGRES
35	IRDP: MT PLEASANT 131(SITE B - SWARTDAM ROAD)	131	131	0	0	131	0	0
36	IRDP: GANSBAAI (BLOMPARK) 250 - 539	539	0	0	0	0	250	0
37	IRDP: GANSBAAI (MASAKHANE) 150 - 295	295	0	0	0	0	148	0
38	IRDP: HAWSTON 378	378	374	3	1	374	3	1
39	FLISP: HAWSTON 107	107	0	6	0	0	45	0
40	FLISP: MOUNT PLEASANT 22	22	0	4	0	0	13	0
41	FLISP: GANSBAAI (FOUNTAIN HILL) -124	124	0	0	0	0	22	0
<b>Sub Totals</b>		<b>2195</b>	<b>724</b>	<b>270</b>	<b>4</b>	<b>724</b>	<b>853</b>	<b>4</b>
<b>Grand Totals</b>		<b>9327</b>	<b>7328</b>	<b>606</b>	<b>69</b>	<b>7429</b>	<b>1139</b>	<b>116</b>