

**AGENDA of the  
Portfolio Committee: Planning & Development  
7 August 2024  
(Also the agenda for the Mayoral Committee Meeting: 14 August 2024)**

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5.

**A PORTION OF ERF 2022 GANSBAAI, ±100M<sup>2</sup> IN EXTENT, SITUATED AT 11 THANDABUNTU STREET, MASAKHANE, GANSBAAI: CESSION OF LEASE AGREEMENT FROM ART-I-KAPA UBULUMKO TRUST TO MASAKHANE PROJECT**

**A Le Roux  
3 July 2024**

**Divisional Manager: Property Management**

**(028) 316 - 5623**

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**1. Executive Summary**

To obtain approval to cede the lease agreement between the Overstrand Municipality and Art-I-Kapa Ubulumko Trust, (hereinafter referred to as “Art-i-Kapa”) to Masakhane Project (hereinafter referred to as “the Applicant”) for the remainder of the lease period of 9 (NINE) years and 11 (ELEVEN) months in respect of a portion of Erf 2022 Gansbaai, ±100m<sup>2</sup> in extent, situated at 11 Thandabuntu Street, Masakhane (hereinafter referred to as “the Property”), for the purpose of providing training in subjects such as numeracy, literacy, computer skills, health subjects and the core subject of clothing manufacturing. See the locality maps attached hereto marked “Annexure A” and “Annexure B”.

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

Planning and Development  
Property Management

**3. Compliance with Strategic Priorities**

Provision of democratic, accountable and ethical governance  
Creation and maintenance of a safe and healthy environment  
Promotion of tourism, economic and social development

**4. Delegated Authority**

Executive Mayor

**5. Legal Requirements**

- Municipal Asset Transfer Regulations (R. 878 of 2008)
- Administration of Immovable Property Policy of the Overstrand Municipality (2015)

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

### **Background/Discussion**

Art-I-Kapa has been leasing a portion of a building, specifically two adjoining rooms, located on a portion of Erf 2022 Gansbaai since 2016 for the purpose of providing training in subjects such as numeracy, literacy, computer skills, health subjects and the core subject of clothing manufacturing.

The latest lease agreement entered into between the Overstrand Municipality and Art-I-Kapa is for a period of 9 (NINE) years and 11 (ELEVEN) months which commenced on 1 August 2019 and will expire on 30 June 2029. The Executive Mayor at a Mayoral Committee Meeting held on 25 September 2019 resolved as follows:

- “1. that the lease of municipal property, being two adjoining rooms in a building ( $\pm 100\text{m}^2$  in extent) located on a portion of Erf 2022 Gansbaai, situated in Masakhane, to Art-I-Kapa Ublumko Trust for the purpose of providing training in subjects such as numeracy, literacy, computer skills, health subjects and the core subject of clothing manufacturing at the rental amount of R147.83 (ONE HUNDRED AND FORTY SEVEN RAND AND EIGHTY THREE CENT) (VAT excluded) per month for a further period of 9 (NINE) years and 11 (ELEVEN) months as from 1 August 2019 in terms of the Administration of Immovable Property Policy of the Overstrand Municipality, be approved; and*
- 2. that the rental amount mentioned in 1 above escalate every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council, the next escalation to be on 1 July 2020.”*

The Applicant is a registered Non-Profit Organisation. The Applicant has been actively involved in community projects within the Masakhane community and in 2022 got involved in Art-I-Kapa's sewing project and completely took over as Art-I-Kapa could not sustain the sewing project, mainly due to funding, and Art-I-Kapa resolved to cede the lease to the Applicant and wishes for such a cession to be concluded.

### **Conclusion**

With reference to the above discussion, it is recommended that the application to cede the lease agreement for the Property to the Applicant be approved for the remainder of the lease period.

## **7. Financial Implications**

None

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**8. Staff Implications**

None

**9. Annexures**

Annexures A & B: Locality maps

**RECOMMENDATION:**

that the cession of the lease agreement for municipal property, being a portion of Erf 2022 Gansbaai,  $\pm 100\text{m}^2$  in extent, from Art-I-Kapa Ubulumko Trust to Masakhane Project, **be approved.**

**RESPONSIBLE OFFICIAL:**

**R OCTOBER**

**TARGET DATE FOR IMPLEMENTATION:**

**28 AUGUST 2024**

**TARGET DATE TO INFORM APPLICANT:**

**4 SEPTEMBER 2024**

**TARGET DATE TO INFORM OBJECTOR:**

**N/A**

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**THIS MATTER SERVED BEFORE THE PLANNING & DEVELOPMENT PORTFOLIO COMMITTEE ON 7 AUGUST 2024, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

**RESPONSIBLE OFFICIAL:**

**R OCTOBER**

**TARGET DATE FOR IMPLEMENTATION:**

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**TARGET DATE TO INFORM APPLICANT:**

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