

**AGENDA of the  
Portfolio Committee : Planning and Development  
17 March 2026  
(Also the agenda for the Mayoral Committee Meeting : 25 March 2026)**

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**5.  
ERF 12273 HERMANUS, SITUATED ON THE CORNER OF MALVA AND  
ANGELIER STREET IN MOUNT PLEASANT: ASSIGNMENT OF LEASE  
AGREEMENT FROM THE RATHFELDER FAMILY CHARITABLE TRUST TO GOD  
SHIFT ERA NPC**

**A Le Roux  
6 February 2026**

**Divisional Manager: Property Management**

**(028) 316 5623**

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**1. Executive Summary**

To obtain approval to assign the lease agreement between the Overstrand Municipality and The Rathfelder Family Charitable Trust, (hereinafter referred to as “Rathfelder”) to God Shift Era NPC (hereinafter referred to as “GSE”) for the remainder of the lease period of 20 (TWENTY) years in respect of Erf 12273 Hermanus, 571m<sup>2</sup> in extent, situated on the corner of Malva and Angelier Street in Mount Pleasant, Hermanus, hereinafter referred to as “the Property”, for the purpose of the management of an after care facility for children.

The locality maps are attached hereto as Annexures “A1” & “A2”.

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

Planning and Development  
Property Management

**3. Compliance with Strategic Priority/ies**

Provision of democratic, accountable and ethical governance

**4. Delegated Authority**

Executive Mayor

**5. Legal Requirements**

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

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

**Background/ Discussion**

Rathfelder has a lease agreement with the Municipality for the purpose of the erection and management of an after-care facility for children on the Property.

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The lease agreement entered into is for a period of 20 (TWENTY) years which commenced on 1 June 2020 and will expire on 31 May 2040. The Executive Mayor at a Mayoral Committee Meeting held on 24 April 2019 resolved as follows:

- “1. *that the lease of municipal property, being unregistered Erf 12273 (a portion of Erf 243) Hermanus (±571m<sup>2</sup> in extent), situated in Mount Pleasant, to The Rathfelder Charitable Trust for purpose of managing an Aftercare Facility and related purposes at the monthly rental amount as will be approved in the annual budget for 2019/2020 for a period of 20 (TWENTY) years as from 1 June 2020 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 be escalated every year on the 1st of July in accordance with the tariffs stipulated in the Annual Budget as approved by Council,*
3. *that The Rathfelder Family Charitable Trust be responsible for all cost involved in the renewal of the lease agreement and specifically the survey cost and the cost of the notarial registration of the lease agreement against the Title Deed.”*

Erf 12273 Hermanus has in the meantime been registered in the Deeds Office.

Rathfelder erected a building on the Property with funding they obtained as they are a registered public benefit organisation. To obtain value for the money they invested on municipal land to the satisfaction of their investors, Rathfelder needed to obtain a twenty-year lease. Due to the significant amount of money spent for the erection of the building on municipal property, which improvements will eventually vest in the Municipality free of charge after the lease agreement has lapsed, a 20 (TWENTY) year lease was approved.

As the lease agreement is for a period beyond 9 (NINE) years and 11 (ELEVEN) months there was a notarial registration of the lease agreement against the Title Deed of the Property. Should the assignment be approved, attorneys will have to be appointed at the cost of GSE to have the assignment registered against the Title Deed.

Rathfelder intends on transferring the Just Care Aftercare Facility to GSE and therefore applied to assign the existing lease agreement with the Municipality to GSE. They confirmed that Rathfelder will remain actively involved during the transition period and Rathfelder will in all likelihood continue as a sponsor.

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GSE is an active non-profit organisation operating in accordance with its Memorandum of Incorporation (MOI). In terms of its MOI, its primary focus areas include welfare and humanitarian support, education and development, health and community wellbeing, as well as the provision of resources and assistance to vulnerable communities. These objects expressly allow the organisation to operate community-based facilities and programmes aligned with these purposes. In this regard, GSE NPC is in the process of taking over the operation of the Just Care Aftercare Facility, including all activities associated with the facility. The aftercare provides structured supervision, meals, basic educational support, and a safe environment for children after school hours. The operation of this facility falls squarely within GSE's welfare and education objectives as set out in its MOI. It is registered as a non-profit company under registration number 2018/422030/08 and has been registered since 1 August 2018 and the address of their registered office is 1 Smuts Avenue, Hermanus. The active directors are Nelani Jacobs, Sanet Nel and Chacolene Carmen Rust, who are all residents of Hermanus.

To demonstrate financial viability, the latest three months' bank statements have been provided. These reflect regular donation income, ongoing operational expenditure, and positive closing balances. In addition, it was confirmed that GSE will receive considerable funding from Rathfelder. This funding will significantly strengthen the organisation's financial position and support the continuation and expansion of its activities.

Rathfelder provided the following motivation for the request to assign the lease:

*"The handover of the Just Care aftercare programme from the Rathfelder Family Charitable Trust to God Shift Era NPC represents a deliberate and future-focused step to protect the longevity, stability, and growth of the programme. While the Trust has proudly supported and managed Just Care for many years, the current trustees — one aged 80 and the other in her 60s — have acknowledged that their advancing age increasingly limits their ability to remain involved in the same active capacity required for the ongoing operational management of the programme.*

*Given this reality, the trustees believe it is both responsible and in the best interests of the children to transition the programme into the hands of an organisation that has the capacity, energy, and structural stability to lead it into the next generation. Their wish is to adopt a more passive and supportive role going forward, while ensuring that a capable, community-aligned organisation continues driving the programme on the ground.*

*Over recent years, the trustees have also observed a critical and growing need among graduates of the aftercare programme. Many of these children face significant challenges in accessing and completing their senior schooling.*

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*This realisation has been central to the Trust's decision to "transition" with their graduates by providing secondary-school support."*

Although the day-to-day responsibility for Just Care is transitioning, the Rathfelder Family Charitable Trust remains deeply committed to the wellbeing of the children at Just Care who have passed through the programme. The trustees intend to continue supporting the initiative, ensuring that the children remain cared for, guided, and empowered as they progress into adolescence and beyond

The Property has been used by Rathfelder for the past 6 (SIX) years without any complaints from the public regarding the use of the Property and Rathfelder delivers an essential service to the community.

### **Conclusion**

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

### **7. Financial Implications**

The Municipality will continue to receive the monthly rental income from GSE as it did from Rathfelder. There are no financial implications for the Municipality should the assignment be approved. The cost of the assignment will be borne by GSE.

### **8. Staff Implications**

None

### **9. Annexures**

Annexures A1 & A2:      Locality maps

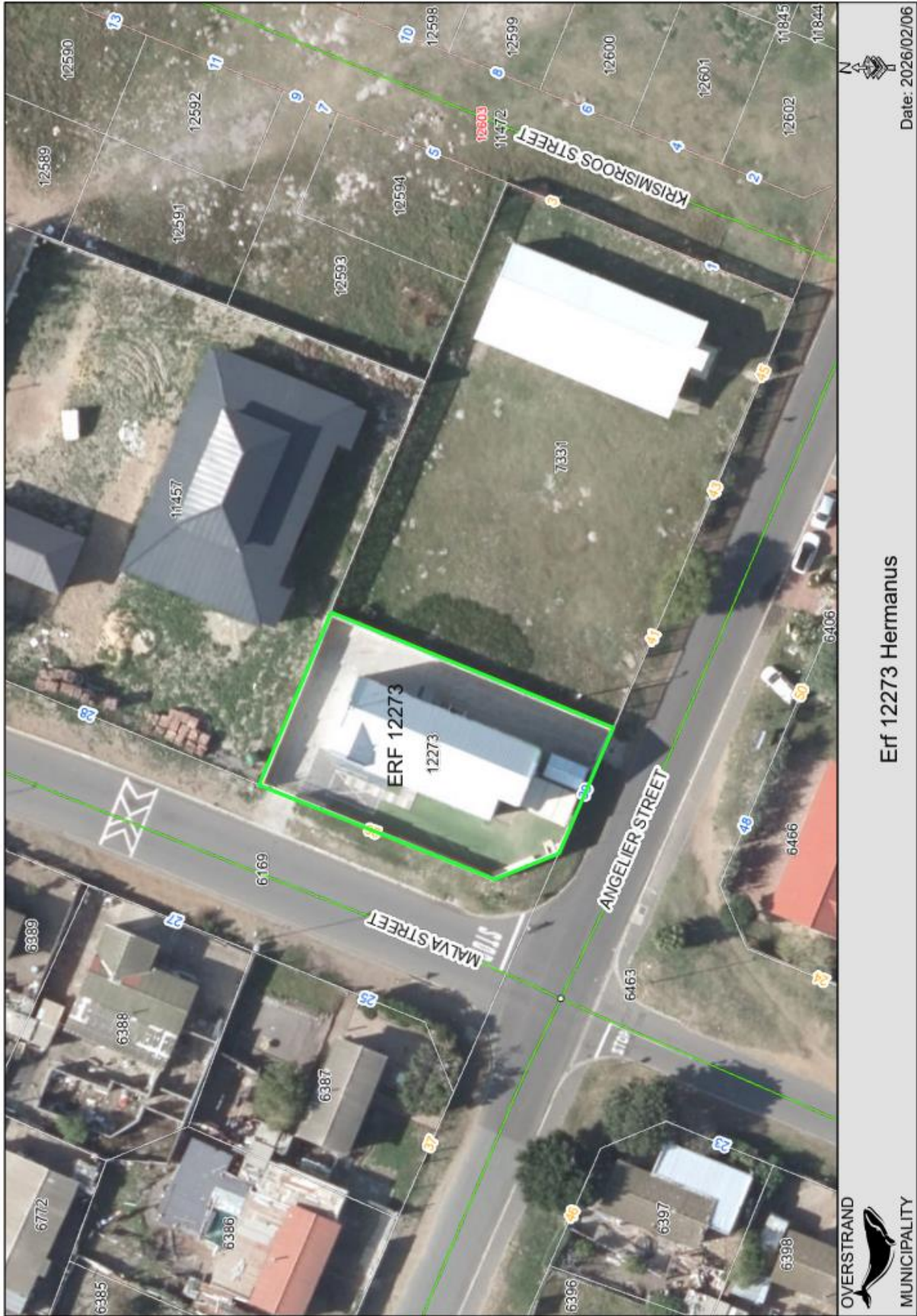
### **RECOMMENDATION:**

that the assignment of the lease agreement for municipal property, being Erf 12273 Hermanus, 571m<sup>2</sup> in extent, from the Rathfelder Family Charitable Trust to the God Shift Era NPC for the purpose of managing an after-care facility for children, **be approved.**

<b>RESPONSIBLE OFFICIAL :</b>	<b>M ERASMUS</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>10 APRIL 2026</b>
<b>TARGET DATE TO INFORM APPLICANT:</b>	<b>10 APRIL 2026</b>



ANNEXURE A2



Erf 12273 Hermanus

