

Ordinary Council (OPEN) Meeting

28 April 2022

Addendum 2:

ITEM NO	SUBJECT	FIL REF	PG
SECTION 6: ECONOMIC DEVELOPMENT & PLANNING			
C/6/24/04/22	ERF 11782, PLETTENBERG BAY: PROPOSED LEASE: SWEET HAVENS DAY CARE	18/11782/PB	3 - 14

SECTION 6

**ECONOMIC DEVELOPMENT AND
PLANNING**

Section 6: Economic Development and Planning

ITEM C/6/24/04/22

ERF 11782, PLETTENBERG BAY: PROPOSED LEASE: SWEET HAVENS DAY CARE

Portfolio Comm: Strategic Services & Office of the
Municipal Manager

File Ref: 18/11782/PB

Demarcation: Ward 3

Delegation: Council

Attachments: Annexure “A” – Locality Plan
Annexure “B” – Application
Annexure “C” - Petition

Report from: Director: Economic Development & Planning

Author: Director: Economic Development & Planning

Date: 25 April 2022

PURPOSE OF THE REPORT

To inform the Council of the application for a lease to allow the use of Erf 11782 for a crèche, and to recommend that the application be approved.

EXECUTIVE SUMMARY

Erf 11782 accommodates the ‘White House’. The building is currently vacant, and application has been made by Sweet Havens Day Care to lease the premises for a three year period to operate a crèche. A petition in support of the application has also been received. As the municipality does not have an immediate need for the building the application is supported.

BACKGROUND /DISCUSSION

A locality plan of Erf 11782, Plettenberg Bay is attached as Annexure ‘A’. This property currently accommodates a building commonly referred to as the ‘White House’. Application has been made by Sweet Havens Day Care for the use of this building as a crèche for a three year period. The application is attached as Annexure ‘B’. The application was accompanied by petitions whereby community members supported the proposal (see the attached Annexures ‘C’).

The application was circulated for internal departmental comment and no objections have been received.

Section 6: Economic Development and Planning

ASSESSMENT OF PROPOSAL:

The application is supported. The building is currently vacant and is slowly being vandalized. There is no immediate need to use it for municipal purposes, while a lease arrangement of only three years will imply that it will become available for an alternative use (should that be deemed necessary) within a relatively short period of time. The proposed crèche also has the support of the community as well as the Ward Councillor.

DECISION-MAKING CRITERIA:

The following factors are to be considered by the Council before approval can be granted for the disposal of land (which includes a lease):

- (a) The land may not be required by the Municipality to provide a minimum level of basic municipal services (Section 14 (1) and 14 (2) (a) of the MFMA; Section 5 (b) (i) of the Asset Transfer Regulations).

Comment: Erf 11782 is not required to provide a minimum level of basic municipal services.

- (b) The land may not be required by the Municipality for its own purposes at a later date (Section 7 (a) of the Asset Transfer Regulations).

Comment: As it is a lease only the land will be available to the Municipality for its own use at the end of the lease period.

- (c) Council must consider the fair market value and the economic and community value to be received in exchange for the land (Section 14 (2) (b) of the MFMA).

Comment: The lease will be at a nominal amount determined by the Municipal Manager.

The socio-economic benefit to the community would be the establishment of a crèche.

- (c) Council must consider the gain or loss that is expected to result from the disposal of the land (Section 7 (b) of the Asset Transfer Regulations).

Comment: The (temporary) loss to the Municipality will be a premises that is not actually required for municipal purposes. The gain will be in the form of a community facility (a crèche).

- (d) Council must consider the extent to which any compensation will result in significant economic or financial gain or loss (Section 7 (c) of the Asset Transfer Regulations).

Comment: There will be no economic loss to the Municipality. The financial gain from a nominal rental will be minimum.

Section 6: Economic Development and Planning

- (e) Council must consider the risks and rewards associated with the control of the land to be sold in relation to the Municipality's interests (Section 7 (d) of the Asset Transfer Regulations).

Comment: There are no risks or rewards associated with the current control by the Municipality of Erf 11782.

- (f) Council must consider the effect that the disposal may have on the credit rating of the Municipality and its ability to raise borrowings in the future (Section 7 (e) of the Asset Transfer Regulations).

Comment: Erf 11782 does not qualify as a 'high value' asset and the (temporary) disposal thereof will have no impact on any of these factors.

- (g) Council must consider any limitations or conditions attached to the capital asset and the consequences of any potential non-compliance with those conditions (Section 7 (f) of the Asset Transfer Regulations).

Comment: This does not apply to Erf 11782.

- (h) Council must consider the estimated costs of the transfer (Section 7 (g) of the Asset Transfer Regulations).

Comment: Not applicable.

- (i) Council must consider the transfer of any liabilities and reserve funds associated with the land (Section 7 (h) of the Asset Transfer Regulations).

Comment: Not applicable.

- (j) Council must consider any representations received (Section 7 (i) of the Asset Transfer Regulations).

Comment: Only an internal comment process was followed. No objections were received.

- (k) Council must consider the views of the National or Provincial Treasury (Section 7 (j) of the Asset Transfer Regulations).

Comment: As Erf 11782 is not a 'high-value' asset this requirement is not applicable.

- (l) Council must consider the interest of any State Department, of the Municipality and of the local community (Section 7 (k) of the Asset Transfer Regulations).

Comment: No State Department has any interest in the matter. The interests of the community relates to the potential positive impact of the proposed creche.

Section 6: Economic Development and Planning

- (m) Any disposal of land must be fair, equitable, transparent and competitive (Section 14 (5) of the MFMA).

Comment: This is an unsolicited bid for a specific objective. It will serve little purpose to go through a formal bidding process to achieve that same objective.

- (n) The legislative regime applicable to the proposed disposal must be complied with (Section 7 (l) of the Asset Transfer Regulations).

Comment: This has to date and will in future be complied with.

FINANCIAL IMPLICATION

Limited additional income as a result of the rental income for the lease of the land.

RELEVANT LEGISLATION

Municipal Finance Management Act.
Asset Transfer Regulations.

Comments: Acting Director Community Services

The recommendation of the Municipal Manager is supported.

Comments Manager: Legal Services

The recommendation of the Municipal Manager is supported.

RECOMMENDED BY THE MUNICIPAL MANAGER

That approval be granted for a lease agreement to allow Sweet Havens Day Care to operate a crèche from Erf 11782, Plettenberg Bay, subject to the following conditions:

- (a) That the lease be for a period of three years.
- (b) That authority be delegated to the Municipal Manager to determine the rental amount, and that it be recorded that this rental amount is not required to be market related.



SWEET HEAVENS DAY CARE

PROPOSAL

NPO number 206-782

Address: 11 541 Pine Trees, Plettenberg Bay 6600,

1. Background

The Sweet Heaven's Day Care is a registered Non –profit organization that provides early childhood development to children from the Pinetrees and surrounding communities. The NPO is currently running the service from their own facilities that are very small. This document is a proposal for the Bitou Municipality's decision makers to lease the White House in Pine Tree to the Sweet Heaven Day Care to operate from it.

2. The Challenge

The main challenge is that Sweet Heaven Day Care is experiencing a growth in the numbers and the space that it uses is not sufficient to accommodate the growing need from young people. The fact that it is now compulsory for children to attend early childhood development classes is forcing parents to bring the children in for classes.

The second challenge is that Sweet Heavens need to be officially registered as an accredited Early Childhood Development Centre by the department. However, the final hurdle to achieving accreditation is the building that it operates from is deemed not to be suitable. This has forced the organization to go out and search for alternative accommodation.

3. Alternatives considered:

The organization went out to assess various options that would suffice to accommodate the current number of children that is 37 and growing at a rate of between 3 to 4% per year. A suitable venue is;

- Accessible
- Safe and secure
- Ablution facilities (adequate)
- A big enough lawn to be converted as a play park
- Big enough space to have kitchen facilities

These are some of the main factors to be considered as an alternative venue to accommodate the children. After careful consideration of the alternative facilities, the only one that can be considered is the White House in Pinetrees because it comes the closest to what we are looking for.

4. Benefits to the Municipality

The White House is currently underutilised and it is open to vandalism by the public. The building is getting dilapidated on a daily basis. Its use is being abused as there is no proper management of use and almost anyone can currently go and have a meeting in the area. This provide a mutual beneficiation for both parties. By allowing the use of this facility to Sweet Heaven Day-care the following can be achieved;

- Revenue for the municipality in terms of rent and water and electricity charges;
- The building will be maintained;
- The building will be more secured
- The building will be cleaned

Sweet Heaven Day-Care is very useful during disasters and the centre can be used to provide temporary relief during disasters like fires. During the Covid -19 hard lockdown in 2020, the organization assisted with running a soup kitchen to feed those in distress.

5. Proposal

The proposal is for the Bitou Council to grant the Sweet Heaven Day Care the use the White House Facility on a 36 Month lease.

6. Contact Person(s)

The following people are registered as contact person(s) for Sweet Heaven Day Care;

- 6.1. Ms. Bulelwa Mpondwana – 0737107167
- 6.2. Ms. Nosipho Qokose – 0710966589
- 6.3. Ms. Mhlaguli Nkwini – 0719528121
- 6.4. Ms. Khonziwe Mafele – 0738754941
- 6.5. Ms. Thembisa Khemese – 078742746

7. Conclusion

There is mutual benefit to be gained should the Bitou Council approve this request to allow Sweet Heaven Day Care to make use of the facility. It will save the municipality lots of money in constantly having to replace broken windows, doors and etc. It will also prove to the community that the Municipality is there to serve them.

Petition for Bigger Venue

We as the community of pinetree we require bigger venue for creach to accommodate more children as the current one that we have is over crowded.

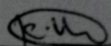
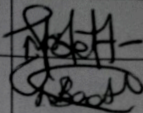
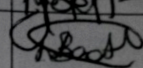


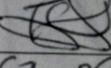
We undersign are concerned citizens of Pinetrees who urge our municipality to act now for Bigger Venue Creache in our community.

Date	Name & Surname	Adress	Signiture
01-03-2022	Unako Ngqandwa	11497 Pine Trees	U. Unako
01-03-2022	Mihle Feni	11530 Pine Trees	MF
01-03-2022	Nosipho Siziba	11626 Pine Trees	N. Siziba
01-03-2022	Joe Oktober	11602 Pine tree	J. Oktober
01-03-2022	Nompusi Sikili	11603 Pinetree	N. Sikili
01-03-2022	Ntombizandile Tyah	11629 Pinetree	N.G. Tyah
01-03-2022	Ntombizandile Tyah	11638 Pinetree	N. Tyah
01-03-2022	Sina Mzizane	11854 Pine Tree	S. Mzizane
01-03-2022	Nomathamsiso Ngqandwa	11575 Pine Tree	N. Ngqandwa
01-03-2022	Nozuko Isanc	11818 Pine Trees	N. Isanc
01-03-2022	Cikizwa Mbem	11654 Pine Trees	C. Mbem
01-03-2022	Nokwe Fudhwa	11564	N. Fudhwa
01-03-2022	Nomathamsiso Ngqandwa	11569 Pinetree	N. Ngqandwa
01-03-2022	Nomathamsiso Ngqandwa	11562 Pine tree	N. Ngqandwa
01-03-2022	Nomathamsiso Ngqandwa	11895 Pinetree	N. Ngqandwa
01/03/2022	Liyana Mkhali	11867 Pinetrees	L. Mkhali
01/03/2022	Rodolo NOSIZWE	11640 Pinetrees	N. Rodolo
01/03/2022	Nochristmas Mbedi	11674 Pinetrees	N.P. Mbedi
01-03-2022	Ziyanda Penellani	11898 PINETREES	Z. Penellani
01-03-2022	Nomlindiso Blom	11614 PINETREES	N. Blom
01-03-2022	Luvu Neng	11658 Pine Trees	L. Neng
01/03/2022	Sina Ngqandwa	11617 Pinetrees	S. Ngqandwa

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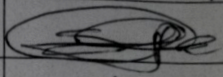
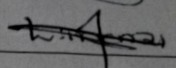
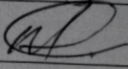
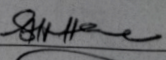
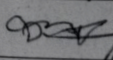
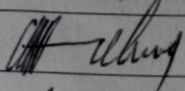
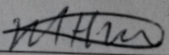
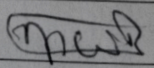

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
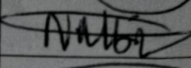
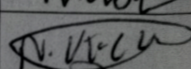
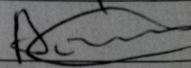
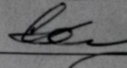
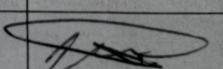
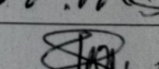
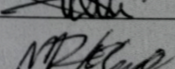
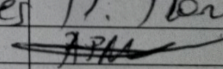
Date	Name & Surname	Adress	Signiture
01-March-2022	Khonziwe Mafele	11627 Pinetrees	
01-March-2022	Thembaqazi Nkomo	11751 Pinetrees	T. Nkomo
01-March-2022	LEITHA MASET	11730 Pinetrees	
01-March-2022	Noluvuyo Botha	11815 Pinetrees	
01/03/22	STEPHAN BALANI	11914 Pinetrees	TSBALANI
01/03/22	Nkumbazanele Mabege	11853 Pinetrees	N. Mabege
01/03/22	Baliswa Joyi	11615 Pinetrees	B. Joyi
01/03/22	Mavis Xayimpi	11820 Pinetrees	MFX
01/03/22	BHEKI NTSHUNTSHE	10399 PINETREES	B. NTSHUNTSHE
01/03/22	NOLUNGUFIKO	11798 PINETREES	N. PIKO
01/03/22	TINA MAGUQU	11650 Pinetrees	T. Maguqu
01/03/22	Andiswa Isibo	11440 Dolweni	A. Isibo
01/03/22	Sandisiwe Dama	11724 Pinetrees	S. Dama
01/03/22	Zingisi Samtseni	11392 Pinetrees	Z. Samtseni
01-03-22	ERIC Mango	11902 Pinetrees	
01-03-22	Sinoxolo Masicothozi	361 Dolweni	
01-03-22	LINDA Mase	11561 PINETREES	L. Mase
01-03-22	Nomvula Thembu	11860 Pinetree	
01-03-22	Mlanjwa Gcotsiswazi	11538 Pine tree	G. Mlanjwa
01-03-22	Thembisile Dayimani	11657 Pine trees	T. Dayimani
01-03-22	Phumeka Sandi	11909 Pine trees	P. Sandi
01-03-22	Julia Noto	11848 Pine trees	J. Noto

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Date	Name & Surname	Adress	Signature
01-03-22	Nosakhe Bangani	11812 pine trees	N. Bangani
01-03-22	Siphelele Bangani	11812 Pine Trees	S. Bangani
01-03-22	NDSIPHINO. mayedwa	11819 Pine Trees	N. mayedwa
01-03-22	ISAC. marono	11814 Pine Trees	I. marono
01/03/22	Cindy TOPE	11687 Pine trees	
01/03/22	Kuzo Mendi	11722 Pinetrees	
01/03/22	Silivia Baloti	11863 Pinetree	S. B.
01/03/22	RICH ANTONI	11919 PINETREES	
01/03/22	POURIE MTAME	11554 PINETREES	
01/03/22	Siphesande moma	11511 Pinetrees	S. moma
01/03/22	ZUCAR FU SHERIFF	11832 Pinetrees	
01/03/22	George Khalima	10735 Pinetrees	
01/03/22	MNDILISI MBILANA	11624 Pinetrees	
	BARANA MW	11473 Pinetrees	
01/03/22	Mombokolo Khatkhat	11898 Pinetrees	
01/03/22	MKARELSE	11906 Pinetrees	MKARELSE
01/03/22	Jadine Conxable	11483 Pinetrees	J. Conxable
01/03/22	Phumelani Boo	11517 Pinetrees	P. Boo

Date	Name & Surname	Address	Signature
01-03-2022	Mkhlanani Nqomo	11512 Pine trees	
01-03-2022	Nqomo Disoni	11579 Pine trees	N. Disoni
01-03-2022	N. Mbulana	11624 Pine trees	
01-03-2022	N. Vele	11564 Pine trees	
01-03-2022	S. Bholani	11562 Pine trees	S. Bholani
01-03-2022	D. Mkhwayo	11564 Pine trees	
01-03-2022	L. Jobela	11566 Pine trees	
01-03-2022	N. Mkhithi	11567 Pine trees	N. Mkhithi
01-03-22	Azole. xhelibokwe	11521-195 pine trees	N. Azole
01-03-22	N. Gusha	11500 Pine trees	N. Gusha
01-03-22	M. Mema	11511 " "	
01-03-22	P. Syanty	11515 " "	P. Syanty
01-03-2022	Nelson Zompa	11571 Pine Trees	S. Zompa
01-03-2022	Melkhaya Kani	11635	M. Kani
01-03-2022	Mhlanguli Merla	11666	M. Merla
01/03/2022	X. AUGUST	11742 PINE TREES	
01-03-2022	MZ HENA	11614 PINE TREES	
01-03-2022	M. Nonyati	11743 Pine trees	M. Nonyati
01-03-2022	A. MATHUKATHA	11744 PINE TREES	
01-03-2022	S. Bangani	11812 Pine trees	S. Bangani
01-03-2022	N. Mkhabela	11505 Pine trees	N. Mkhabela
01-03-2022	B. Mkhulungu	11745 Pine trees	B. Mkhulungu

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Date	Name & Surname	Adress	Signiture
01-03-22	Portia Buyana	11536 Pine Tree	P. Buyana
01-03-22	Monsa Maisi	11875 pinetrees	Monsa
01-03-22	VUYISILE	Booi 11802	VUYISILE
01-03-22	Adeleide Gub	11583	pine tree
01-03-22	Lindiwe Sizon	11760	L'S
01-03-22	Fezeka Qhelo	11749	F. Qhelo
01-03-22	Abangile Feta	11748	A. Feta
01-03-22	MADO DA	11783	MADO DA
01-03-22	Luziwe mbolob	11548	Luziwe
01-03-22	Phumza Naisile	11719	P. Naisile
01-03-22	Nthlumele NGOLEKA	11429 PINETREES	N. Ngoleka
01-03-22	Samkelo Vera	11849 Pinetrees	S. Vera
01-03-22	Nancy Jacob	11521 Pinetrees	N. Jacob
01-03-22	mzivumile Hlumelo	11873 Pinetrees	M. Hlumelo
01-03-22	Sisake Maleki	11772 Pinetrees	S. Maleki
01-03-22	Zukiswa mabisi	11868 pinetrees	Z. M
01-03-22	Michael Benjamin	11759 Pinetrees	M. Benjamin
01-03-22	Thandi Noddyi	11792	T. Noddyi
01-03-22	Sindile Volimpi	11798 Pinetrees	S. Volimpi
01-03-22	Xolani Booth	11815 pinetrees	X. Booth
01-03-22	ZUKISWA galela	11789 pinetrees	galela. Z
01-03-22	Thandeka maleki	11490 pinetrees	T. maleki