



ORDINARY COUNCIL MEETING

SUPPLEMENTARY AGENDA

Date	:	26 February 2021
Time	:	10:00
Venue	:	Virtual Meeting

KOUGA MUNICIPALITY (EC108) <u>NOTICE CONVENING A MEETING</u> NOTICE IS HEREBY GIVEN in terms of the amended Directions on Municipal Operations and Governance, in terms of Section 27(2) of the Disaster Management Act, 2002, that a virtual Ordinary Council Meeting will be held on <u>DATE:</u> 26 February 2021 <u>TIME:</u> 10:00  <u>H. BORNMAN</u> SPEAKER	UMASIPALA I-KOUGA (EC108) <u>ISAZISO NGENTLANGANISO</u> OKU KUKWAZISA malunga neZikhokelo eziLungisiweyo ekuSebenzeni koMasipala kunye noLawulo ngokweMigagqo yeCandelo lama 27(2) loMthetho woLawulo lweNtlekele ka 2002, ukuba kubanjwe intlanganiso ebonakalayo yesigqeba Ye khansile <u>UMHLA:</u> 26 EyoMdumba 2021 <u>IXESHA:</u> 10:00  <u>H. BORNMAN</u> USOMLOMO	MUNISIPALITEIT KOUGA (OK108) <u>KENNISGEWING VAN VERGADERING</u> KENNIS GESKIED HIERMEE ingevolge die gewysigde Aanwysings Vir Munisipale Bedrywighede En Bestuur, Ingevolge Artikel 27 (2) van die Wet op Rampbestuur, 2002, dat 'n virtuele raadsvergadering gehou sal word op <u>DATUM:</u> 26 Februarie 2021 <u>TYD:</u> 10:00  <u>H. BORNMAN</u> SPEAKER
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Councillors are required to comply with the Standing Rules and Orders of Council and all its Committees By-law as promulgated in the Provincial Gazette on 22 October 2018 No.4134 and applicable to this meeting of Council. Any person who willfully contravenes any provision of these rules shall be guilty of an offence and which contravention shall be dealt with in accordance with the disciplinary procedures for Councillors.

SUPPLEMENTARY AGENDA

1. **MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR**

(The reports by the Executive Mayor, in terms of the provisions of Section 63 of the Local Government Municipal Systems Act, 32 of 2000, on matters dealt with by the Executive Mayor in terms of delegated authority as detailed in the Minutes to be noted).

2. **REPORTS BY THE OFFICE OF THE MUNICIPAL MANAGER**

21/02/MM10 Private Project Funding Agreement Proposal: IDIS Consulting & Development (*to be distributed under separate cover*)

3. **REPORTS BY THE EXECUTIVE MAYOR**

3.1 **REPORTS BY THE CHAIRPERSON: PLANNING & DEVELOPMENT**

21/02/PD14 Establishment of an Autism Centre: Application for right to use/ manage Municipal Land: Erf 5812 Jeffreys Bay

Pages 6-15

4. **CLOSURE**

Distribution list:

Executive Mayor
Speaker
All Councillors
Municipal Manager
All Directors
Relevant Managers
Committee Services

MATTERS DEALT
WITH IN TERMS OF
DELEGATED
AUTHORITY BY THE
EXECUTIVE
MAYOR

REPORTS BY
THE
PORTFOLIO
CHAIRPERSON:
PLANNING
&
DEVELOPMENT

KOUGA MUNICIPALITY (EC 108)

ORDINARY COUNCIL MEETING

PLANNING AND DEVELOPMENT

DATE: 26 FEBRUARY 2021

ITEM NO: 21/02/PD14

ESTABLISHMENT OF AN AUTISM CENTRE - APPLICATION FOR RIGHT TO USE/MANAGE MUNICIPAL LAND: ERF 5812 JEFFREYS BAY

1. Introduction

The purpose of this item is to inform Council of the intention of the Centre of Grace Foundation to obtain erf 5812 Jeffreys Bay by way of a right to use/manage a municipal-owned immovable property. (Annexure "A")

2. Background

An application was received from the Centre of Grace Foundation on 22 January 2021 to request Council to grant a right to use/ manage a municipal-owned immovable property. Erf 5812, Jeffreys Bay has been identified as an available and suitably situated property to accommodate the said application. (Annexure "B")

Erf 5812 is a vacant municipal property that is 9,500 square meters in extent and zoned as "Public Open Space" in accordance with the Jeffreys Bay Zoning Scheme.

Centre of Grace Foundation was established in 2020 after the founders discovered that there are no services available to individuals with Autism Spectrum Disorder or Neurodevelopment Disorders in Jeffreys Bay.

It is perceived that the mental health and neurodevelopment of children are neglected in the Kouga Municipality.

The assessment and treatment gap in Kouga Municipality is well over 90%. This means that almost no children with mental health problems or neurodevelopment disabilities receive any identification or treatment for their difficulties, resulting in life-long burdens upon families, communities and the state, often with poor educational, occupational and financial outcomes, and significant risk of criminal and anti-social behavioural outcomes.

Centre of Grace Foundation was established in direct response to the challenges experienced by children with autism, their families and communities in the Kouga Municipality.

The Centre will be a world-class facility leading South Africa in international cutting-edge programs for children, families, caregivers and primary health care workers of the Kouga region. (Annexure "C")

3. Comments

The Centre of Grace will be a unique and one-of-a-kind development that will provide much-needed social care and specialist health service to the residents of the Kouga Region.

The Council's Policy and Procedures for the Disposal of Immovable Assets define social care as follows:

13. **SOCIAL CARE USES**

13.1 Social care shall mean services provided by registered welfare, charitable, non-profit, cultural and religious organisations and includes, but is not limited to places of worship, childcare facilities, rehabilitation centres, centres for the homeless, elderly and destitute persons and animal care facilities: Provided that they are registered as PBO's or are capable of being so registered should they apply for registration.

13.2 Immovable property owned by the Municipality may be alienated or let to social care users. Unless otherwise directed by Council, the purchase price payable shall be **25% of market value** subject to a suitable reversionary clause being registered against the title deed of the property. Rentals shall be determined in terms of the tariff rentals as approved by Council from time to time.

13.3 Immovable property may be alienated or let out-of-hand to social care users in exceptional cases where the Council is of the opinion that public competition would not serve a useful purpose or that it is in the interest of the community or plight of the poor provided comments or representations on the proposed transfer or granting right to use, control of a municipal capital asset be invited from the local community and other interested persons in terms of Section 7(i) of the Asset Transfer Regulations.

Should Council intend to alienate the property herein it may do so by way of disposing at 25% of the market related value or through a Deed of Donations taking into consideration the uniqueness of the development and social importance of such a facility for the benefit of the Kouga public at large.

4. Financial Implications

Should Council resolve to so alienate the property herein, the applicant (Purchaser) shall be responsible for all legal costs associated with the transfer of property.

5. Legal Implications

Erf 5812 is zoned as "Public Open Space" in accordance with the Jeffreys Bay Zoning Scheme. In the event that the right to use the property and any development is approved on the said erf, the public open space would need to be closed and rezoned to a zoning that would accommodate the intended development.

A public place closure process would thus have to be embarked on and any alienation shall be subject to the outcome of said formal public place closure process.

6. Recommendation

- 6.1 That Council **grant in-principle approval** rights to use, control or manage a Municipality owned immovable asset erf 5812, Jeffreys Bay to Centre of Grace Foundation for a period of 25 (twenty-five) years.
- 6.2 That Council confirms that the land is not needed to provide the minimum level of basic municipal services.
- 6.3 That the approval of the right to use, control, manage the be subject to the said property being closed as a public place and rezoned to an appropriate zoning.
- 6.4 That Council authorizes the accounting officer to enter into a long-term consent use lease of erf 5812, Jeffreys Bay to Centre of Grace Foundation as a Non-Profit Organization to establish an Autism Centre.

Item prepared by : **Acting Manager Land**

Item approved by : **The Director: Planning, Development & Tourism**

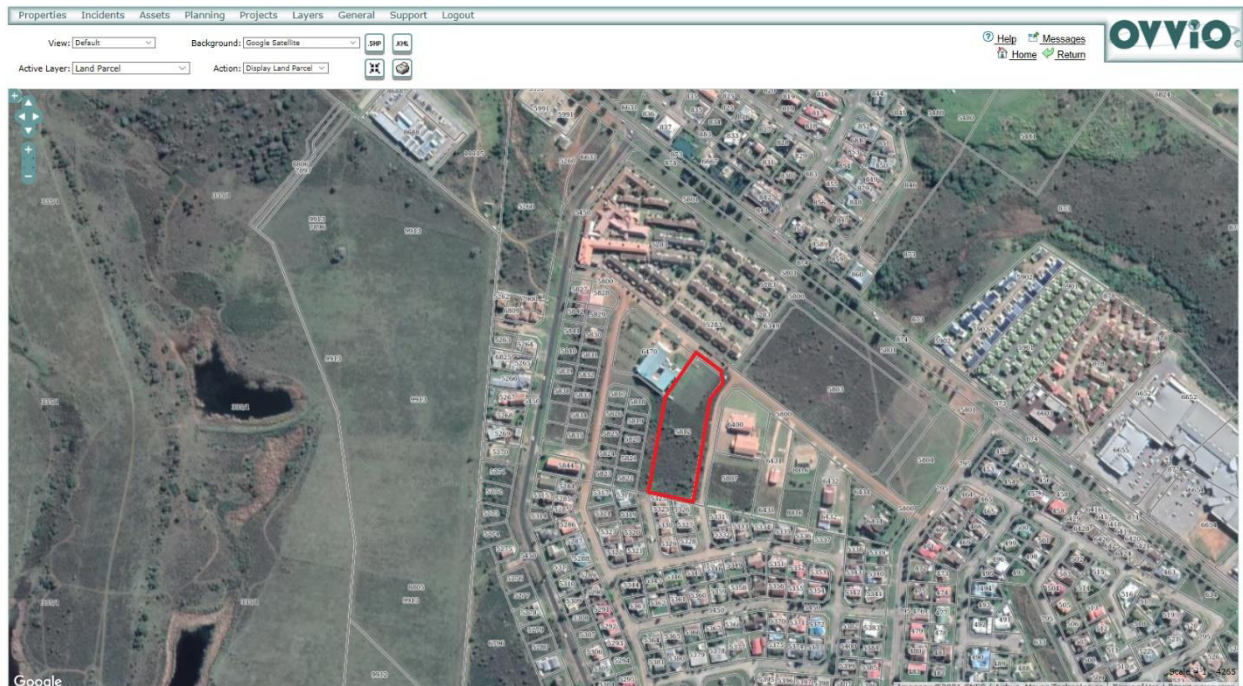


Item endorsed by : **The Municipal Manager**

Item noted by the Portfolio Chairperson



Annexure “A”



[Properties](#)
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Land Parcel Information

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Erf

5812 of Jeffreys Bay

Address

Butterfly Street

SG Number

C03400060000581200000

Municipality

Kouga

Township/Holding: Title Deed

Jeffreys Bay

Suburb: Financials

C-Place (40003)

Centroid

34.04503245187769S 24.910549193655402E

Sectional Title

No

Extent

9529sqm

Extent (SG)

9519sqm

Extent (Title Deed)

9529.05SQM

Zoning: Financials

PUBOS

Zoning

Jeffreys Bay Zoning Scheme - Public Open Space

Land Usage: Financials

Ward: Financials

Ward: Demarcation Board

Sources

Deeds Office, Surveyor General, Financials

Effective

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[Mapillary](#)

Linked Documents

Name	Type	Size	Date Modified
Projects/Standard Notifications/2018 General Valuation	Folder	1 item	05 Oct 2020 05:25:50

Comments

Tasks and Questions and eForms

Title Deeds

Owner	Title Deed	Share	Purchased	Registered	Price	New No
Mun Kouga	T11199/1987	0.0000		17 Mar 1987	R	T11199/1987
Mun Jeffreys Bay	T11199/1987	0.0000		17 Mar 1987	T/T	T1852/2002

Financial Accounts

Account	Debtor	ID Number	Debtor Type	Owner Tenant
004005812000	Kouga Municipality (Jeffreys B		Departmental (DEPAR)	Owner (Kouga)

Properties

Unit	26 Digit Code	Owner(s)	Scheme	Scheme Number
0	C0340006000058120000000000	Mun Kouga		

Current Municipal Information

Valuation Date	Valuation Category	Land Value	Improvements Value	Land Area	Improvements Area
		520000	0	9529	0

Valuations and Surveys

Project	Category / Usage	H Area	P/C Status	Current Value
2008 GV (from TruVal data)	Sect 8(2)(h) - Municipal (As Per MPRA)	CA	Valued	600,000.00
2013 - 2018_DDP Valuation Roll as Printed	2h-04 (Municipal-Public Roads) (Kouga)	Unknown	Valued	600,000.00
2018 General Valuation	MUNICIPAL PROPERTY (GV2018)	Unknown	Valued	520,000.00

Businesses Operating on this Land Parcel

Annexure “B”



CENTRE OF GRACE FOUNDATION

Email Addresses: kaylene@gracewithoutborders.co.za; toyer@gracewithoutborders.co.za
Mobile: 071 240 1292

To: The Kouga Municipality

Attention:

The Acting Director: Planning, Development and Tourism

Mr Cedric Grootboom

Director: Planning, Development and Tourism

Ms. Fezeka Faith Mabusela

Director: Corporate Services

Mrs Krishen Moodley

22 January 2021

Dear Mr Grootboom

RE: LAND DONATION REQUEST FOR CENTRE OF GRACE

Centre of Grace Foundation was established in 2020 when our daughter Grace was diagnosed with Autism Spectrum Disorder (ASD). After receiving Grace's diagnosis, we were surprised to discover that **no services are available to individuals with Autism Spectrum Disorder or Neurodevelopmental Disorders in Jeffreys Bay, where we currently reside, or the surrounding towns of the Kouga Municipality. This is a grave injustice to our children.** The mental health and neurodevelopment of children is neglected in the Kouga Municipality.

The 'assessment and treatment gap' in the Kouga Municipality is well over 90%. This means that almost no children with mental health problems or neurodevelopmental disabilities receive any identification or treatment for their difficulties, resulting in life-long burdens upon families, communities and the state, often with poor educational, occupational and financial outcomes, and significant risk of criminal and anti-social behavioural outcomes. Centre of Grace Foundation is established in direct response to the challenges experienced by children with autism, their families and communities in the Kouga Municipality.

Following our experience after our daughter's autism diagnosis, and in support of the Kouga Municipality's Integrated Development Plan (2020/21) as adopted by Council on 26 June 2020, our vision is to ensure that children and families from lower resourced communities have access to life-changing early intervention programs and education.

On Thursday, 27 August 2020, at 2pm, I met with Mayor Horatio Hendricks and Mrs Krishen Moodley at the Mayor's offices to present our plans to establish the Centre of Grace. I am pleased to mention that the Mayor supports and endorses this initiative to provide services to children and families in the Kouga Municipality impacted by Autism through the Centre of Grace.

The Centre of Grace will be a world class facility leading South Africa in international cutting edge, evidenced based programs offered to children, families, caregivers and primary health care workers of the Kouga region. This is made possible through our partnership with the Centre for Autism Research in Africa based at the University of Cape Town.

Therefore, we wish to request the Kouga Municipality's kind consideration to donate **one hectare of land** to Centre of Grace Foundation, our Non Profit Company. This will greatly assist in establishing the Centre of Grace (see attached Concept Note and Architectural Plans) which will benefit under-resourced communities of the Kouga Municipality who are impacted by Autism Spectrum Disorder.

The Centre of Grace is the first phase of our initiative and will benefit the community of the Kouga Municipality through responding to:

- the needs of children age 2-6 years and their families impacted by autism through cutting edge evidence based Early Intervention Programs and training to caregivers through these programs.
- It will also serve as a resource to train primary healthcare workers and clinicians in the Kouga Municipality in the assessment of children for developmental delays and in newly developed diagnostic instruments.

We intend to build a primary and high school for children with Autism in Phase 2 (not included in attached architectural plans).

Our request for the donation of land for Centre of Grace is further supported herein with the attached documents:

- Centre of Grace Concept Note
- Centre of Grace Architectural Plans

We wish to take this opportunity to thank you for receiving and considering our request, and we welcome requests for further detail or discussions in this regard.

Sincerely yours in the advocacy for the rights to services for children and families impacted by Autism in the Kouga Municipality.



Kaylene and Toyer Jappie

Founders

Centre of Grace Foundation

Annexure "C"

