STELLENBOSCH
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LOCAL AUTHORITY NOTICE

OFFICIAL NOTICE AS CONTEMPLATED IN REGULATIONS 32, 33, 34 AND 35

OF THE MUNICIPAL ASSET TRANSFER REGULATIONS

PROPOSED DISPOSAL OF ASSET

PORTIONS OF FARM 528 AND 529, STELLENBOSCH: MOUNTAIN BREEZE CARAVAN PARK

1. Introduction:

Notice is hereby given in terms of Regulations 32,33, 34 and 35 of the Asset Transfer regulations (ATR) of 22 August 2008 that Council is considering possible disposal of portions of Farm 528 and 529, Stellenbosch, formerly known as Mountain Breeze Caravan Park.

2. **Background / Reasons for proposed Awarding of Rights**

2.1 Existing Contractual arrangements

Stellenbosch Municipality and Stellenbosch Caravan Park CC concluded a long term lease agreement during 1992 for a period of 30 years up until 31 March 2021. This agreement was ceded to Mountain Breeze Caravan Park and after expiration of the agreement was extended on a month-to-month basis. The lease agreement was terminated on 30 June 2021 whereafter the Municipality took over the day-to-day upkeep of the premises, but closed it to the public. In March 2022 after receiving comments from the public Council resolved to go out on call for proposal to use the facilities for cycling, hiking groups, eco education and an adventure centre for school groups with overnight facilities. During October 2024 the administration reported back to Council that there are many difficulties with implementing the Council resolution especially due to the services and zoning of the property. On 30 October 2024 resolved as follows:

(a) that the Council resolutions taken on 2022-07-27 be reviewed and rescinded;
(b) that Portions 528 and 529C, Stellenbosch (also known as Mountain Breeze Caravan Park) be identified as land not needed for basic Municipal Services;
(c) that an information statement be prepared for approval by council to indicate Council's intention to sell the property on auction to the highest bidder and that the item and information statement returns to Council for approval of the information statement;
(d) that provision be made for a fall-back clause if the buyer wants to sell the property within 10 years;

(e) that the property must be used as per the current zoning and will be sold voetstoots; and
(f) that an updated property valuation report be obtained before the item be resubmitted to Council

3. **Discussion**

3.1 Public Participation Process

In terms of Regulations 34 and 35 of the Asset Transfer Regulations, before Council makes a decision on disposing of property, Council requested the Municipal Manager to first conduct a public participation process.

3.2 Information Statement

When following the public participation process to consider to dispose of property, an Information Statement referred to in Regulation 34 is published.

The Information Statement contains the following:

1. The reasons for the proposal to dispose of the property

Council resolved on 30 October 2024 to review and rescind the resolution on 27 July 2022 and resolved inter alia:

(a) that the Council resolutions taken on 2022-07-27 be reviewed and rescinded;
(b) that Portions 528 and 529C, Stellenbosch (also known as Mountain Breeze Caravan Park) be identified as land not needed for basic Municipal Services;
(d) that provision be made for a fall-back clause if the buyer wants to sell the property within 10 years;
(e) that the property must be used as per the current zoning and will be sold voetstoots; and
(f) that an updated property valuation report be obtained before the item be resubmitted to Council

2. Any expected benefits to the municipality that may result from the granting of the right

The disposal of the property will bring in revenue that Council can use for other purposes. The facility is currently not used optimally and if disposed of and used within the Zoning rights approved can enhance the agricultural usages around it. The people that are currently illegally occupying the land will have to be removed by the new owner.

3. Any expected proceeds to be received by the Municipality from the granting of the rights

The land will be sold on auction and the municipality will set a reserve price that will not be less than the market value of the property. As this will be an open bidding process the highest price will encourage competition. A final decision by council will be taken after the auction to dispose of the property and council may at that stage decide not dispose of the property.

4. **Any expected gain or loss that will be realised or incurred by the Municipality arising from the granting of the right.**

   The aim of the disposal is to get revenue from a piece of land that is currently not used optimally. The costs for the eviction of current illegal occupants will be for the cost of the bidder as well as the costs for the transfer.

3.3 Invitation to submit comments/inputs or alternative proposals

Interested and affected parties / individuals are hereby invited / called upon to submit comments / inputs or alternative proposals in respect of the possible granting of the rights referred to above.

Any such comments/inputs or alternative proposals must be in writing and must reach the office of Property Management by no later than **12 February 2025** at close of business at the address or e-mail listed below:

Physical address: 3rd Floor, NPK building, cnr Plein and Ryneveld Streets, Stellenbosch
For attention: Yolande van den Berg
Landline: 021 808 8073
Email: Municipal.Manager@stellenbosch.gov.za

Any queries can be addressed to: Yolande van den Berg at yolande.vandenberg@stellenbosch.gov.za

Please note that an Information Statement as contemplated in Regulation 34(3)(b) of the Asset Transfer Regulations as well as the agenda item that served before Council, are available on the Stellenbosch Municipality website together with this notice. The full item is contained in the Council Agenda of 30 October 2024 as well as 27 November 2024 that is also on the website.

3.4 Persons with disabilities

Notice is further given in accordance with Section 21 of the Local Government: Municipal Systems Act, No 32 of 2000 that anyone with disabilities or who is unable to write, but need to participate in the process, may present him/herself during office hours at the Property Management Office, where a staff member of the Municipality will assist such person to transcribe that person's comments/inputs or alternative proposals.

GERALDINE METTLER
MUNICIPAL MANAGER: STELLENBOSCH MUNICIPALITY