

**EXTENSION OF THE LEASE AGREEMENT OF ERVEN 4047 (4 222M<sup>2</sup>) AND 4066 (1.2194HA),  
MOSSEL BAY: BENEVOLENT PARK HOME FOR THE ELDERLY, DISABLED AND CARE  
CENTRE: MOSSEL BAY MUNICIPALITY / MOSSELBAAI BENEVOLENT VERENIG VIR  
BEJAARDESORG, SITUATED AT ROSELIND STREET, EXTENSION 6, MOSSEL BAY**

Notice is hereby given in terms of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) together with the Municipal Asset Transfer Regulations R878 of 2008 and the Local Government: Municipal Systems Act 2000 (Act 32 of 2000).

In terms of Council Resolution, Item E333-11/2023 it was resolved as follows:

1. That, due to the fact that the Mosselbaai Benevolent Vereniging vir Bejaardesorg NPO is financially constrained, a separate entity be established to ensure the effective management, financial viability and continued existence of the Benevolent Park Facility (Benevolent Park).
2. That a Non-Profit Company (NPC), be established to manage Benevolent Park situated on Erven 4047 (4 222m<sup>2</sup>) and 4066 (1.2194ha), Roselind Street, Extension 6, Mossel Bay.
3. That the NPC will take over all assets and liabilities of the current NPO and will assume all responsibilities regarding the strategic and financial management of Benevolent Park.
4. That the NPC will be responsible to compile a Business Rescue Plan for Benevolent Park, including the possible deregistration of the current NPO and the restructuring of its debt, to the satisfaction of the Municipality, to ensure that the facility is managed on sound financial principles.
5. That the NPC will be responsible to upgrade and maintain Benevolent Park to the satisfaction of the Municipality.
6. That, in order for it to be established, the NPC will consist of seven (7) directors, which will include three (3) Councillors to be nominated by Council, two (2) members of the current NPO and two (2) suitable community members or representatives from Health or Public Benefit Organisation (PBO's).
7. That three (3) Councillors, be nominated by Council to serve on the NPC.
8. That, to enable the Board of Directors to start functioning as such, the three (3) Councillors nominate the two (2) members of the current NPO and two (2) suitable community members or representative from Health or Public Benefit Organisation (PBO's) to serve as first directors.
9. That, after establishment of the NPC, vacant positions be filled in terms of the Memorandum of Incorporation (MOI) of the NPC.
10. That a Management Body consisting of residents of Benevolent Park be established to represent finances, administration, maintenance, operational, gardening, aesthetics and social.
11. That the Management Body have regular meetings with the NPC to effectively manage Benevolent Park.
12. That the current Lease Agreement between the Mossel Bay Municipality and the Mosselbaai Benevolent Vereniging vir Bejaardesorg NPO, which terminated on 30 September 2023, not be renewed but be extended on a month-to-month basis until such time that the NPC has been established.
13. That, on establishment of the NPC, a nine (9) years and eleven (11) months Lease Agreement be entered into between the Mossel Bay Municipality and the NPC as from date of signing of the Lease Agreement at a rental amount of R450,00 per annum (VAT inclusive), in terms of Section 40(2)(c)(i) of the Municipal Supply Chain Management Regulations, with an annual escalation equal to the CPI percentage, since it is not required for basic municipal purposes to be utilised as a Home for the Elderly, Disabled and Care Centre. The applicable CPI percentage shall be the CPI of two (2) months prior to the date of escalation in terms of the Agreement.
14. That delegated powers be awarded to the Municipal Manager to negotiate, conclude, finalise and sign the Lease Agreement.
15. That the Public Participation Process, as prescribed in the relevant legislation, be followed.
16. That in addition to the prescribed Public Participation Process the Council Resolution be referred to the Ward Councillor to bring it under the attention of the Ward Committee and that any comments, objections or representations be submitted by the Ward Councillor to the Municipality within thirty (30) days from date of the Council Resolution, failing which it will be accepted that there are no comments, objections or representations.
17. That, after completion of the prescribed Public Participation Process, this Item be referred back to the Municipal Manager for further consideration.
18. That no rights and/or obligations will vest herein before the Lease Agreement is signed by both parties."

**FURTHER NOTICE IS HEREBY GIVEN THAT:**

Any objections, comments, representations or alternative proposals regarding the Council's intention should be lodged in writing to the Municipal Manager, P.O. Box 25, Mossel Bay, 6500, alternatively by email to [admin@mosselbay.gov.za](mailto:admin@mosselbay.gov.za) on or before 26 January 2024. Any objections, comments, representations or alternative proposals which are received after the abovementioned closing date may not be taken into consideration.

Any interested or affected party are hereby requested to:

Submit similar or alternative proposals for the proposed extension to the lease of the Property; and/or

Submit any objections, comments or representations regarding the proposed extension to the lease of the Property on the abovementioned terms and conditions.

Any enquiries may be directed to Ms S Jombile on telephone number (044) 606 5000 or by email to [sjombile@mosselbay.gov.za](mailto:sjombile@mosselbay.gov.za). This notice is also available on the website of the Municipality, [www.mosselbay.gov.za](http://www.mosselbay.gov.za).

You are kindly requested to contact the abovementioned official to make arrangements for collection, viewing or assistance to provide your comments, objections or representations in writing. This notice is published in English and will be made available free of charge, in Afrikaans or Xhosa upon request.

Hierdie kennisgewing word gepubliseer in Engels en sal gratis op aanvraag beskikbaar gemaak word in Afrikaans en Xhosa.

Esi saziso sipapashwe ngesiNgesi kwaye sifumaneka ngesisa/mahala, ngolwimi lwe-Afrikaans okanye isiXhosa xa kukho isicelo eso.

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**CB PUREN  
MUNICIPAL MANAGER**