



## **APPLICATION FOR THE RENEWAL OF THE LEASE AGREEMENT OF A PORTION OF THE MUNICIPAL COMMONAGE, ERF 539 SITUATED ADJACENT TO PORTION 29 OF THE FARM 250, BOGGOMS BAY (±83HA): J.L. MULLER**

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), of the following:

In terms of Council Resolution, Item E285-10/2021 it was resolved as follows:

1. That approval be granted to the Applicant, Mr. J.L Muller, for the renewal of the Lease Agreement of a portion of the municipal commonage, Erf 539 situated adjacent to Portion 29 of the Farm 250, Boggoms Bay (±83ha), for farming purposes, for a period of three (3) years, at a rental amount of R5 300.00 per month (VAT inclusive), with an annual escalation equal to the CPIX-percentage. The applicable CPIX-percentage shall be the CPIX of two (2) months prior to the date of escalation in terms of the agreement.
2. That no other buildings/structures may be erected on the premises without prior written approval of the Municipality.
3. That no structural changes or improvements may be effected without prior written approval of the Municipality.
4. That the Applicant will not sublet the erf or any portion thereof without prior written approval of the Municipality.
5. That the Applicant is responsible for the maintenance of the land in good and tidy condition to the satisfaction of the Municipality.
6. That the Applicant will be responsible for the insurance of its contents and assets on the premises as well as to take out Public Liability Insurance for the risks which may occur from the farming activities conducted on the premises, proof of which must be furnished to the Municipality.
7. That the Applicant will not utilise any portion of the erf for the display of outdoor advertising or signage without prior written approval of the Municipality.
8. That the Applicant will indemnify the Municipality against any claim including flooding/stormwater overflow which may originate as a result of its use of the property.
9. That the Municipality reserves the right of free access to the property, without notice, for the purpose of inspection, maintenance, renewal, cleansing, repair and construction of Municipal services.
10. That the Applicant be responsible for all costs related to the application, including advertising costs.
11. That the Public Participation Process as prescribed in the relevant legislation be followed.
12. That after completion of the prescribed Public Participation Process, this item be referred back to Council for further consideration.
13. That no rights and/or obligations be vested prior to the Lease Agreement being signed by both parties."

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, or by email to [admin@mosselbay.gov.za](mailto:admin@mosselbay.gov.za) on or before 1 February 2022. Any objections, comments, representations or alternative proposals which are received after the abovementioned closing date may not be taken into consideration.

### **FURTHER NOTICE IS HEREBY GIVEN THAT:**

Any interested or affected party are hereby requested to:

Submit similar or alternative proposals for the renewal of the lease of the Property; and/or

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

Any enquiries may be directed to Mrs. Y. Van Der Berg on telephone number (044) 606 5109, [yvanderberg@mosselbay.gov.za](mailto:yvanderberg@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.

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File Reference: BM4; C7893995

**CB PUREN**  
**ACTING MUNICIPAL MANAGER**