

extent approximately 225 m².

All figures are indicated on Plan 130008864 attached as Annexure A to the report on the agenda, with a total extent of approximately 7 846 m².

(b) the transfer of the abovementioned properties listed in paragraphs (i) to (iii), to the National Government of the Republic of South Africa, or its successor(s) in title, be approved, subject inter alia to the following conditions, that:

- (i) In consideration thereof, the parties shall enter into a land exchange transaction on a *quid pro quo* basis, whereby the City shall receive, as compensation, immovable property of equivalent market value to the amount of R96 850 000.00 (excluding VAT).
- (ii) The National Government of the Republic of South Africa shall, in fulfilment of the aforesaid consideration, transfer ownership to the City of the properties described in Annexure B to the report on the agenda, together with such additional properties as may be subsequently identified and mutually agreed upon by the parties, the aggregate value of which shall be equivalent to the amount stipulated above.
- (iii) The Director: Property Transactions be authorised to conclude the terms of the land exchange agreement and conduct the negotiations in respect of the remainder of the properties to be acquired by the City as part of the exchange transaction.
- (iv) Rates and municipal charges, if applicable, be levied.
- (v) Subject to such further conditions imposed by the Director: Property Transactions in terms of his delegated authority, including inter alia the following:
 - (aa) that all further statutory and land use requirements be complied with;
 - (bb) that all costs related and incidental to the transaction be borne by the purchaser.

ACTION: M CARELSE, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 35/12/25 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER, BY PUBLIC COMPETITION, OF UNREGISTERED ERF 161669 CAPE TOWN, COMMONLY KNOWN AS THE GOOD HOPE CENTRE AND ADJACENT VACANT LAND, SITUATED AT 11 SIR

LOWRY'S ROAD FORESHORE, CAPE TOWN, ZONED MIXED-USE 2 (MU2) FOR REDEVELOPMENT PURPOSES

RESOLVED that:

- (a) in terms of sections 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003:
 - (i) Council resolved that unregistered Erf 161669 Cape Town, situated at 11 Sir Lowry Road, Foreshore, Cape Town - commonly known as the Good Hope Centre, together with the adjacent vacant land, as delineated ABCDEFGHJKLMNOPQRSTU on Plan LIS 2335 attached as Annexure A to the report on the agenda, measuring approximately 24 843 m² in extent and currently zoned Mixed Used 2, as depicted on the Disposal Plan LIS 2335 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services.
 - (ii) Council confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, Council approved in principle the transfer of unregistered Erf 161669 Cape Town, at 11 Sir Lowry Road, Foreshore, Cape Town, as described in (a)(i) above,
- (c) the transfer of unregistered Erf 161669 Cape Town, including the Good Hope Centre and surrounding vacant land, be approved, subject to such conditions as may be imposed by the Director: Property Development in the exercise of her delegated authority.
- (d) the comments and recommendations provided by the Western Cape Provincial Treasury, be noted.
- (e) comments received from the Heritage Western Cape in respect of the Phase 1 Heritage Impact Assessment, be noted.

[The ANC, AJ, CCC, GOOD, PA and UIM recorded their votes against the above decision.]

ACTION: S NHIWATIWA, L POTTS, R GELDERBLOEM

C 36/12/25 EXEMPTION FROM SECTION 137 CERTIFICATION OF SERVICES IN RESPECT OF VARIOUS CITY-OWNED IMMOVABLE PROPERTIES

RESOLVED that: