

- (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: N MEISSENHEIMER; M CARELSE; C DAVIS; R SCHNACKENBERG; D JOUBERT; R GELDERBLOEM

MC 100/11/25 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 (MU 2) FOR REDEVELOPMENT PURPOSES (LSU: R3875)

The Mayco Member for Economic Growth, Ald. J Vos outlined the strategic rationale for the in-principle disposal of the Good Hope Centre and surrounding parcels, which aims for a vibrant sustainable mixed-use precinct that preserves heritage, supports urban regeneration and economic growth, including continued community usage and access that delivers meaningful and lasting benefits for residents and the city.

The Executive Mayor, together with the members of the Mayoral Committee reiterated that there will be continued community use of the facility at Council determined tariffs for a reasonable portion of time to be determined in the negotiations, which should be emphasized in the outward communications.

Note: Annexures M and N to the report on the agenda (Court Order relating to the claim for acquisitive prescription and the Power of Attorney from the National Department of Public Works) was circulated separately due to the confidential nature of the documents.

It is **RECOMMENDED** 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 resolve 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 ABCDEFGHJKLMNPQRSTU 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 confirm 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 approve 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.

ACTION: N MEISSENHEIMER; S NHIWATIWA; L POTTS; R GELDERBLOEM

MC 101/11/25 EXEMPTION FROM SECTION 137 CERTIFICATION OF SERVICES IN RESPECT OF VARIOUS CITY OWNED IMMOVABLE PROPERTIES (LSU: S1367 & S1445)

It is **RECOMMENDED** that: