

- (b) the entire contract exactly as it is to be executed incurring a financial obligation for seven (7) Financial Years and in the estimated amount of R8 541 285 (excluding VAT), be approved
- (c) the City Manager or his nominee be authorised to sign the above contract(s).

[The GOOD recorded their vote against the above decision.]

ACTION: D MESO, M ROSSOUW, E WESSELS, K JACOBY, A NAIDOO, L MBANDAZAYO

C 38/05/26 AUTHORITY TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED TRANSFER OF A PORTION OF ERF 1, ROGGEBAAI, FORESHORE (WOODSTOCK PARKING AREA)

RESOLVED that in terms of Regulation 5(3)(a) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, the commencement of a public participation process to facilitate the determinations required by section 14(2) (a) and (b) of the Municipal Finance Management Act, Act 56 of 2003 in respect of the proposed transfer of a high-value capital asset being a Portion of Erf 1, Roggebaai, Foreshore as depicted on LIS3449v4 attached as Annexure A to the report on the agenda, be authorised.

[The GOOD recorded their vote against the above decision.]

ACTION: D PICK, L POTTS, R GELDERBLOEM

C 39/05/26 REVIEW AND AMENDMENT OF PREVIOUS COUNCIL RESOLUTIONS C28/10/24 AND C82/03/24: KING DAVID MOWBRAY GOLF COURSE AND SURROUNDING LAND, RAAPENBERG ROAD, MOWBRAY

- (i) **AUTHORITY TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED TRANSFER OF VARIOUS CITY-OWNED LAND PARCELS, THAT IS, PORTIONS OF THE REMAINDER OF ERVEN 29449, 29453, 29454, 29455, 29456, 29458, 29459, 32716 CAPE TOWN, AND ERF 2917 PINELANDS, AS WELL AS THE REMAINDER OF ERVEN 2907, 3248, AND 3914 PINELANDS, AND ERVEN 3352, 3556, AND 3557 PINELANDS, AND PORTIONS OF ERVEN 145064 AND 145065 CAPE TOWN SITUATED OFF RAAPENBERG ROAD, MOWBRAY AND IN PINELANDS**
- (ii) **GRANTING OF RIGHTS TO USE, CONTROL AND / OR MANAGE CITY-OWNED LAND, BEING VARIOUS PORTIONS OF ERVEN IN RAAPENBERG ROAD, MOWBRAY, FOR SPORTING PURPOSES TO THE KING DAVID MOWBRAY GOLF CLUB OR THEIR SUCCESSOR-IN-TITLE**

RESOLVED that:

- (a) Council reviewed and amended Council Resolution C28/10/24 adopted on 30 October 2024 (refer to Annexure B to the report on the agenda, for the copy of the Council Minutes), to read as follows:

“In terms of Regulation 5(3)(a) of the Municipal Asset Transfer Regulations, R.878 promulgated on 22 August 2008, Council authorises the commencement of a public participation process to facilitate the determinations required by section 14(2)(a) and (b) of the Municipal Finance Management Act, 456 of 2003, in respect of the proposed transfer of a high-value capital asset, being various City-owned land parcels described as follows:

Portions of the Remainder of Erven 29449, 29453, 29454, 29455, 29456, 29458, 29459 and 32716 Cape Town; Erf 2917 Pinelands; the Remainder of Erven 2907, 3248 and 3914 Pinelands; Erven 3352, 3556 and unregistered Erf 3557 Pinelands; and portions of Erven 145064 and 145065 Cape Town, depicted as Portions A, B and C on Plan LIS3172v4 (see Annexure A).

The subject property has a combined approximate extent of 64.9379 hectares, situated off Raapenberg Road, Mowbray and in Pinelands, and forming part of and adjacent to the King David Mowbray Golf Course.”

- (b) Council reviewed and amended Council Resolution C82/03/24, adopted on 27 March 2024, (refer to Annexure C to the report on the agenda), only insofar as it relates to Recommendation (b)(iii), which provided for a two-year termination clause in the ten-year lease granted to the King David Mowbray Golf Club (or its successor in title) for the use, control and/or management of City-owned land situated off Raapenberg Road, Mowbray, for sporting purposes. Accordingly, Recommendation (b)(iii) of Council Resolution C82/03/24 be amended to read as follows:

(b)(iii) “The lease will endure for a period of ten (10) years, however the City shall be entitled to cancel or amend the lease in the event that the land or any portion thereof is required for necessary Government or Municipal purposes in the public good and except in the case of an emergency, in which case the lessee will receive a two years’ written notice of the intention to cancel the lease.”

- (c) Council noted that the amendment is motivated by the following considerations:

- (i) The packaging, planning, statutory approvals, and preparation of the King David Mowbray Golf Course precinct for redevelopment and disposal constitute a multi-year process.