

**6. PARTIAL AMENDMENT OF MAYORAL COMMITTEE RESOLUTION DATED 12 APRIL 2023 FOR THE CESSION OF LEASE AGREEMENTS FROM VODACOM (PTY) LTD TO VODACOM TOWER COMPANY (PTY) LTD FOR VARIOUS PORTIONS OF MUNICIPAL PROPERTIES**

**A Le Roux**  
25 January 2024

**Manager: Property Administration**

**(028) 316 5623**

**1. Executive Summary**

To obtain approval for the amendment of the name of the cessionary as stipulated in the Mayoral Committee's Resolution dated 12 April 2023, from Vodacom Tower Company (Pty) Ltd, herein referred to as "TowerCo", to Mast Services (Pty) Ltd, herein referred to as "Mast Services". The locality map is attached as "Annexure A1 – A6".

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Infrastructure and Planning  
Property Administration

**3. Compliance with Strategic Priorities**

Provision of democratic, accountable and ethical governance  
Provision and maintenance of municipal services

**4. Delegated Authority**

Executive Mayor

**5. Legal Requirements**

- Municipal Asset Transfer Regulations (R. 878 of 2008)
- Administration of Immovable Property Policy of the Overstrand Municipality, 2015

**6. Background/Discussion/Evaluation/Conclusion**

**Background**

Vodacom has lease agreements with the Municipality for various portions of municipal properties. Those applicable to this application are described below:

<b>Erf</b>	<b>Area</b>	<b>Period</b>	<b>Expiry date</b>
4833	Voëlklip	9 years 11 months	31-01-2031
1253	Eastcliff	9 years 11 months	30-09-2032

5551	Onrustrivier (Next to Berghoff)	9 years 11 months	28-02-2024
711/32	Dangerpoint	9 years 11 months	30-06-2029
294	Stanford	9 years 11 months	28-02-2030
5462	Kleinmond	9 years 11 months	31-05-2026

After a request from Vodacom (Pty) Ltd, the Executive Mayor at a Mayoral Committee Meeting on 12 April 2023 resolved as follows:

*“that the cession of the relevant lease agreements for the municipal properties below, from Vodacom (Pty) Ltd to Vodacom Towers Company (Pty) Ltd, be approved:*

- a) *A portion of Erf 4833 Hermanus;*
- b) *A portion of Remainder Erf 1253 Hermanus;*
- c) *Erf 5551 Onrustrivier;*
- d) *A portion of Portion 32 of Farm No 711;*
- e) *A portion of Remainder Erf 294 Stanford; and*
- f) *A portion of Remainder Erf 5462 Kleinmond.”*

The above long term leases to Vodacom (Pty) Ltd, hereinafter referred to as “Vodacom”, were all approved by the Executive Mayor at a Mayoral Committee Meeting before the signature of the lease agreements.

The Executive Mayor, in 2023, approved the cession of the lease agreements from Vodacom to TowerCo. During the process of finalising the cession agreements for signature, Vodacom registered a new company in the name of Mast Services (Pty) Ltd which will now, as subsidiary of Vodacom, hold some of the telecommunication-related assets of Vodacom. Vodacom will remain closely invested in the success of Mast Services.

Vodacom therefore applied to cede the existing above mentioned lease agreements with the Municipality to Mast Services (Pty) Ltd instead of to TowerCo as previously requested.

### **Conclusion**

With reference to the above discussion, it is recommended that the application to cede the lease agreements as discussed above be approved for the remainder of the initial lease periods.

### **7. Financial Implications**

None

### **8. Staff Implications**

None

**10. Annexures**

Annexure A1 – A6:           Locality plan

**RECOMMENDATION:**

that the cession of the lease agreements for the municipal properties below, from Vodacom (Pty) Ltd to Mast Services (Pty) Ltd, **be approved:**

- a) A portion of Erf 4833 Hermanus;
- b) A portion of Remainder Erf 1253 Hermanus;
- c) Erf 5551 Onrustrivier;
- d) A portion of Portion 32 of Farm No 711;
- e) A portion of Remainder Erf 294 Stanford; and
- f) A portion of Remainder Erf 5462 Kleinmond

**RESPONSIBLE OFFICIAL :**

**R OCTOBER**

**TARGET DATE FOR IMPLEMENTATION :**

**27 MARCH 2024**

**TARGET DATE TO INFORM APPLICANT :**

**2 APRIL 2024**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**









HON 5551 (PORTION OF FARM 581), ONRUSTRIVIER













