

**AGENDA of the
Portfolio Committee : Planning & Development
7 August 2024
(Also the agenda for the Mayoral Committee Meeting : 14 August 2024)**

11.

A PORTION OF ERF 280 DE KELDERS, A PORTION OF REMAINDER ERF 243 HERMANUS AND A PORTION OF ERF 533 FRANSKRAALSTRAND: CESSION OF LEASE AGREEMENTS FROM VODACOM (PTY) LTD TO MAST SERVICES (PTY) LTD

**A Le Roux
1 July 2024**

Divisional Manager: Property Management

(028) 316 - 5623

1. Executive Summary

To obtain approval to cede three lease agreements between Overstrand Municipality and Vodacom (Pty) Ltd (hereinafter referred to as "Vodacom") to Mast Services (Pty) Ltd (hereinafter referred to as ("Mast Services")) for the remainder of the initial lease periods of 9 (NINE) years and 11 (ELEVEN) months in respect of a portion of Erf 280 De Kelders, a portion of remainder Erf 243 Hermanus and a portion of Erf 533 Franskraalstrand for telecommunication and related purposes. See the locality maps attached hereto marked "Annexure A1, A2 & A3".

2. Service Delivery and Budget Implementation Plan - IGNITE

Planning and Development
Property Management

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Creation and maintenance of a safe and healthy environment
Promotion of tourism, economic and social development

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)

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6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

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

Erf	Area	Period	Expiry date
533	Franskraalstrand	9 years 11 months	31-03-2032
280	De Kelders	9 years 11 months	31-03-2032
243	Hermanus	9 years 11 months	30-04-2026

The above long-term leases were all approved by the Executive Mayor at a Mayoral Committee Meeting before the signature of the lease agreements.

Vodacom is busy with a transaction which will result in a wholly owned subsidiary of Vodacom holding some of the telecommunications-related assets of Vodacom. Mast Services has been registered as a business for this purpose. 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.

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, A2 & A3: Locality Maps

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RECOMMENDATION:

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

- a) A portion of Erf 533 Franskraalstrand;
- b) A portion of Erf 280 De Kelders; and
- c) A portion of remainder Erf 243 Hermanus.

RESPONSIBLE OFFICIAL:

R OCTOBER

TARGET DATE FOR IMPLEMENTATION:

28 AUGUST 2024

TARGET DATE TO INFORM APPLICANT:

4 SEPTEMBER 2024

TARGET DATE TO INFORM OBJECTOR:

N/A

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1 July 2024**

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THIS MATTER SERVED BEFORE THE PLANNING & DEVELOPMENT PORTFOLIO COMMITTEE ON 7 AUGUST 2024, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION

RESPONSIBLE OFFICIAL:

R OCTOBER

TARGET DATE FOR IMPLEMENTATION:

28 AUGUST 2024

TARGET DATE TO INFORM APPLICANT:

4 SEPTEMBER 2024

TARGET DATE TO INFORM OBJECTOR:

N/A

ANNEXURE A1- A PORTION OF ERF 533 FRANSKRAALSTRAND



ANNEXURE A2 – A PORTION OF ERF 280 DE KELDERS



ANNEXURE A3 – A PORTION OF REMAINDER ERF 243 HERMANUS

