

**AGENDA of the  
Portfolio Committee: Investment & Infrastructure  
5 April 2023  
(Also the agenda for the Mayoral Committee Meeting: 24 April 2023)**

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**3.  
VARIOUS PORTIONS OF MUNICIPAL PROPERTIES: CESSION OF LEASE  
AGREEMENTS FROM VODACOM (PTY) LTD TO VODACOM TOWER COMPANY  
(PTY) LTD**

**R Marinus  
13 March 2023**

**Acting Manager: Property Administration**

**(028) 316 - 5609**

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**1. Executive Summary**

To obtain approval to cede various lease agreements between Overstrand Municipality and Vodacom (Pty) Ltd (hereinafter referred to as "Vodacom") to Vodacom Tower Company (Pty) Ltd (hereinafter referred to as "TowerCo") for the remainder of the initial lease periods of 9 (NINE) years and 11 (ELEVEN) months in respect of various portions of municipal properties for telecommunication and related purposes. See the locality maps attached hereto marked "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  
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:

<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

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. TowerCo has been registered as a business for this purpose. Vodacom will remain closely invested in the success of TowerCo.

Vodacom therefore applied to cede the existing above mentioned lease agreements with the Municipality to TowerCo.

### 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 Maps

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**RECOMMENDATION:**

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:**

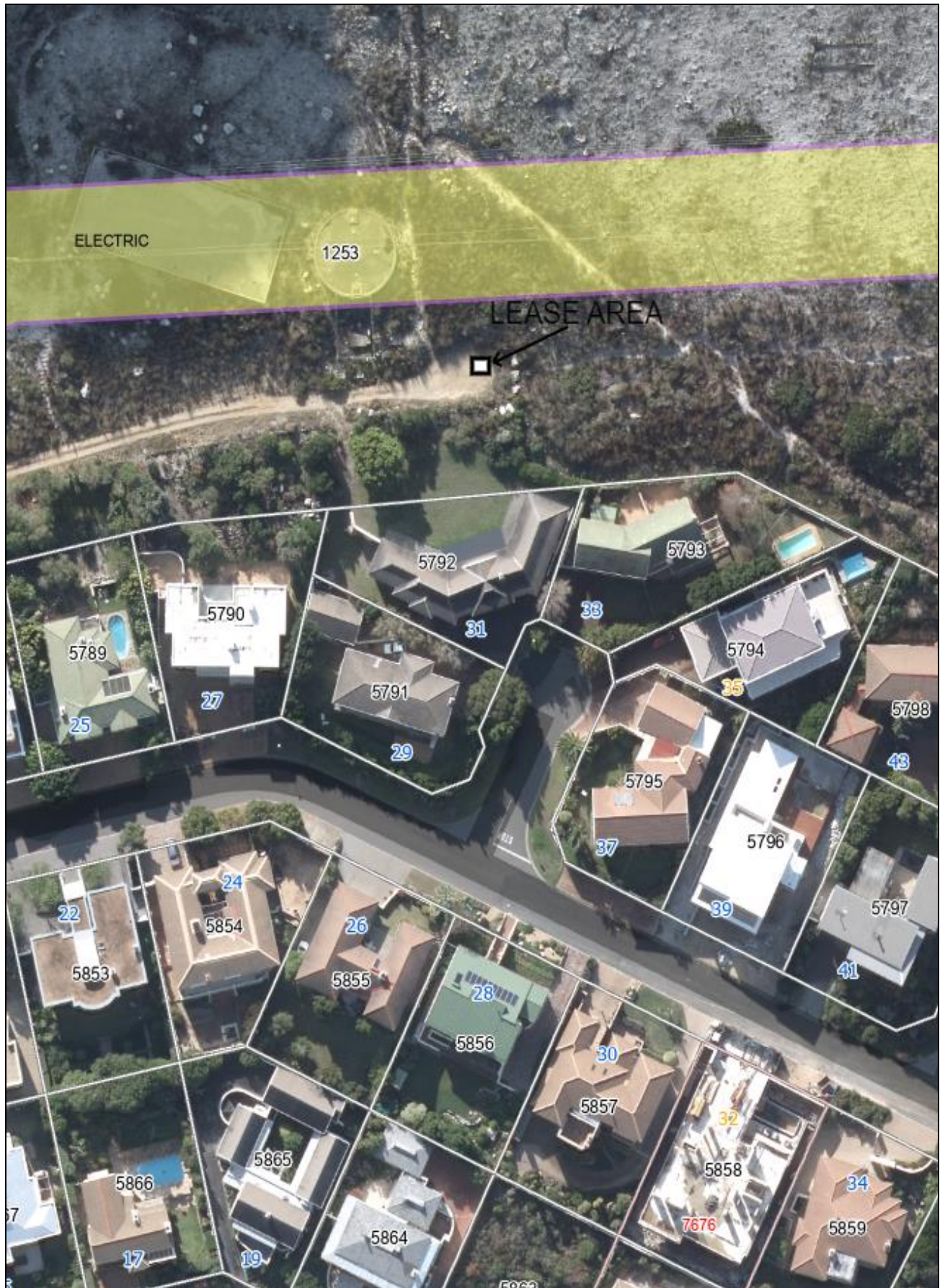
- a) A portion of Erf 4833 Hermanus;
- b) A portion of Remainder Erf 1253 Hermanus;
- c) Erf 5551 Onrustrivier;
- d) A portion of Portion 32 of Farm No 711;
- e) A portion of Remainder Erf 294 Stanford; and
- f) A portion of Remainder Erf 5462 Kleinmond

<b>RESPONSIBLE OFFICIAL:</b>	<b>M ERASMUS</b>
<b>TARGET DATE FOR IMPLEMENTATION:</b>	<b>25 MAY 2023</b>
<b>TARGET DATE TO INFORM APPLICANT:</b>	<b>20 MAY 2023</b>
<b>TARGET DATE TO INFORM OBJECTOR:</b>	<b>N/A</b>

ANNEXURE A1-A PORTION OF REMAINDER ERF 4833 HERMANUS

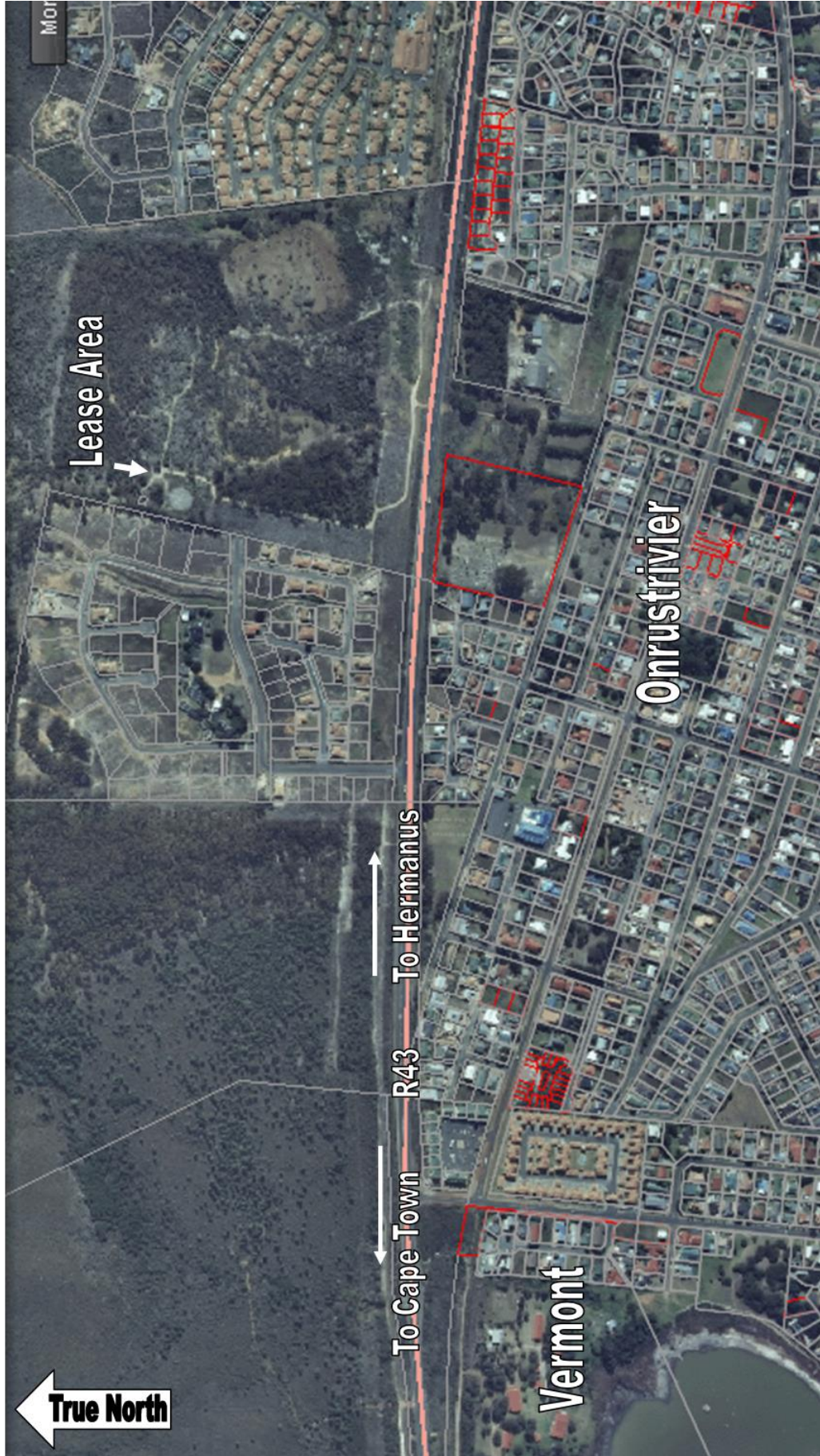


ANNEXURE A2 – A PORTION OF ERF 1253 HERMANUS



ANNEXURE A3 – ERF 5551 ONRUSTRIVIER

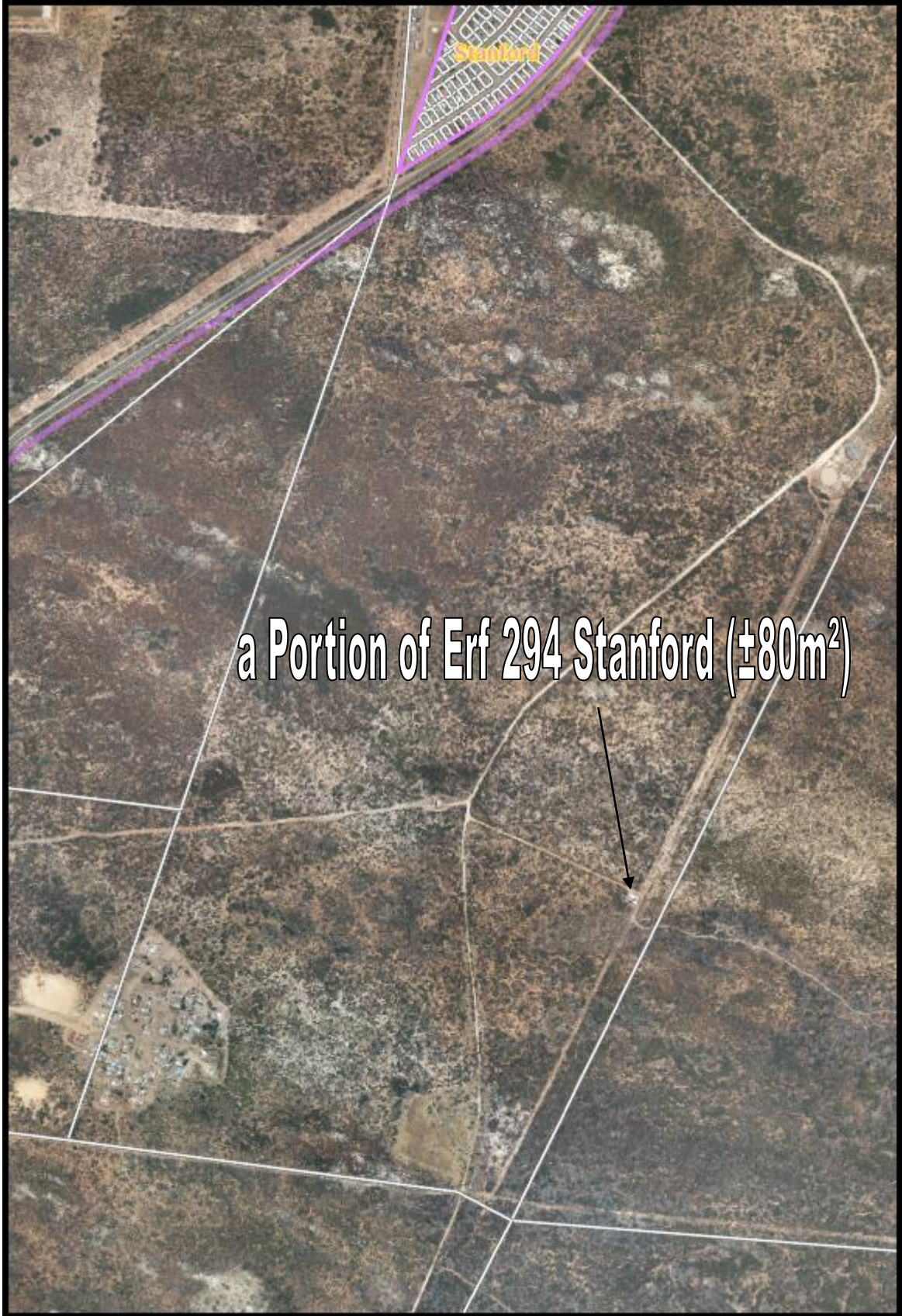
HON 5551 (PORTION OF FARM 581), ONRUSTRIVIER



ANNEXURE A4 – A PORTION OF FARM 711/32 (DANGERPOINT)



**ANNEXURE A5 – A PORTION OF ERF 294 STANFORD**



**a Portion of Erf 294 Stanford (±80m<sup>2</sup>)**

