



**CITY OF JOHANNESBURG**  
**COUNCILLOR EUNICE MGCINA**  
MEMBER OF THE MAYORAL COMMITTEE  
DEVELOPMENT PLANNING

**Media Statement**

**For Immediate Release**

**27 March 2024**

**CITY OF JOBURG MMC FOR DEVELOPMENT PLANNING CLLR EUNICE MGCINA CONDEMNS  
NGO COURT ACTION AGAINST THE DEMOLISHING OF A DERELICT HARZADOUS BUILDING IN  
BELLEVUE EAST**

The City of Johannesburg Member of the Mayoral Committee (MMC) for Development Planning Cllr Eunice Mgcina has condemned the court action by the Socio-Economic Rights Institute of South Africa (SERI) in which the NGO succeeded to prevent the City from demolishing a disused, derelict building in the inner City.

This follows a lengthy legal process that began in 2021 wherein the City finally obtained a court order to demolish a dilapidated building in the suburb of Bellevue East which had been standing empty and disused. Earlier this month on 6 and 10 March; the company charged with taking the building down inspected the building and found it vacant.

On 27 July 2021 at the Johannesburg High Court, the City of Johannesburg was granted a court order against Kinross Investments (Pty) Ltd, the owners of the building situated at 64 Natal Street, Bellevue East. In terms of the Court order, the owner was to demolish the building which does not comply with the National Building Regulations and Building Standards Act on the grounds that it was, amongst others, dilapidated.

The building owners failed to demolish the building as per the court order and the City then began the process to demolish it with the assistance of the Sheriff of the Court.

However, on 13 March, when the demolishers went on site to commence with the process to demolish the building, they were stopped by persons who indicated that they were occupiers of the building.

On the same day; SERI sent a letter to the City's attorneys of record purporting to be representing the said illegal occupiers. SERI alleged that the conduct of the City in demolishing the building was unlawful and that the occupants should be given alternative accommodation should the City wish to demolish it.

The City indicated through its attorneys that its conduct was lawful because it had obtained a court order to demolish the building and that it will be continuing with the demolition accordingly.

On 18 March 2024, when the demolishers tried again to demolish the building, there were more people who had moved into the building and alleged they were the occupants. And on 22 March 2024, the City's attorneys, instructed the Sheriff to serve the occupiers of properties located in the vicinity of the building with notices that the City will be demolishing the building on 27 March 2024.

Based on the above notice SERI initiated an urgent application in the High Court on 25 March 2024, to stop the City from demolishing the building unless the City provides alternative accommodation to the 45 alleged occupiers of the building. The City opposed the urgent application brought by SERI and the Court ruled in SERI's favour.

In noting the Court's decision MMC Mgcina said: "I wish to condemn SERI's attempt at frustrating the City's intentions to demolish a structure that is in a state of disrepair and is a safety and health hazard in the strongest possible terms.

"The demolishing of these building is sanctioned by the courts given their state disrepair and dilapidation. Some of these buildings have been abandoned by their owners and have become hotbeds for criminals and they are a nuisance to law abiding citizens!

"The City wastes millions of rands defending these unnecessary court actions and this is unacceptable! Organisations that deliberately interfere with the operations of the City pose a significant threat to the welfare of our communities. Their actions, often driven by self-interest, undermine our tireless efforts to deliver essential services to the public.

"Such interference not only hampers the efficiency of our work but delays the implementation of our developmental plans. While we will continue to find solutions to the challenges of homelessness in the City; we cannot, however, condone the promotion of occupation derelict and disused buildings."

MMC Mgcina added that the Development Planning Department will study the outcome of the Court's decision before embarking on the next course of action.

**Ends.**

**Issued by  
Cllr Eunice Mgcina  
MMC for Development Planning  
City of Joburg**

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