

ITEM A447
POLICY : TRANSFER OF COUNCIL OWNED
PROPERTIES: FORMER DISADVANTAGED
AREAS : (AMENDED) (DP/PROP/JT32)

13/4/1

RESOLVED (ON 11.12.2003)

1. That Council approve a policy whereby all business properties in the former disadvantaged area (land and buildings), whether leased or allocated on basis of occupational rights, be alienated where possible to the present occupants, at a reduced amount not exceeding R20 per square metre (for both the land and buildings) subject to the following conditions:
 - 1.1 That the applicants pay R1 000 (One Thousand Rand) to Council for application fee;
 - 1.2 that the said businesses be offered amnesty on outstanding Municipal charges including arrear rentals by paying a once off amount of R2 500;
 - 1.3 that all costs pertaining to the transfer, rezoning and subdivision be for the account of the applicant and
 - 1.4 that in instances where there is more than one business on one site, which is not subdivided or divided in terms of a sectional title scheme, it is suggested that the tenants be advised to buy the said building jointly as a legal entity such as a Body Corporate and that the individual members can lease back from the entity. This is meant to ensure that Council can as soon as possible come out of these transactions, which are very costly;
2. that in cases where there are sale agreements with Council, the purchaser pay the outstanding balance on purchase including the arrears on rates and taxes before transfer can take place;
3. that where it is a condition of the sale agreement that the purchaser has to subdivide and rezone at his costs, it be necessary that he comply before transfer can take place;
4. that where the buildings are vacant, an opinion is held that notices be posted at the respective premises calling upon all those who are having an interest in the buildings to submit their claims/applications within thirty (30) days failing which the properties be put on tender;
5. that in a case of a dispute, the disputant pays an administration fee of R1 000, and that all disputes be referred to the Land Tribunal Committee for adjudication;
6. that once the policy has been approved, the process be co-ordinated by the Strategic Manager: Development Planning;
7. that as the properties will be sold at reduced prices no terms should be entered into, only cash payments;

8. that in case where subdivisions of properties are required, the applicants ascertain themselves of the building regulations and requirements regarding service connections applicable, and all costs involved, which will be for the account of the applicant and
9. that tenants be given three months notice to indicate whether they accept the offer mentioned in 1 above.