

Tafelberg challenge

Court application brought against decision

NOLOYISO MTEMBU

THE provincial government's decision to sell Tafelberg land to the Phyllis Jowell Jewish Day School has been challenged in a review application brought to the Western Cape High Court late yesterday.

Ndifuna Ukwazi Law Centre on behalf of its trustees, Reclaim the City and some local residents, approached the court for an order to declare the City of Cape Town and the Western Cape government as having failed to comply with their constitutional and statutory obligations to redress apartheid spatial planning in central Cape Town.

Ndifuna Ukwazi also sought to review the provincial government's decision to sell the Tafelberg site in Sea Point.

This came after the provincial government, which had previously agreed to shelve the sale pending a public participation process, decided in March to go ahead and sell the property, despite thousands of objections from interested parties.

The land was previously used by the Tafelberg Remed-



Reclaim the City protest in Sea Point.

PICTURE: AYANDA NDAMANE

ial High School and was left vacant when the government school moved to new premises in Bothasig in 2010.

Late in 2015, the provincial Department of Transport and Public Works sold the Tafelsig property for R135 million amid public outcry that it could be

used for social housing.

According to the Western Cape government's feasibility study on affordable housing released in November, 270 units could be built on it.

However, in March, the cabinet issued its decision to go ahead with the sale.

In its affidavit, Ndifuna Ukwazi alleges that the provincial government has misled the public into believing that the proceeds from the Tafelberg site sale would go into social housing projects elsewhere, when this is not the case.