

■ COURT

# Social housing at Tafelberg 'unfeasible'

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THE development of social housing on the Tafelberg site would have been unfeasible, the court heard yesterday during arguments from the Phyllis Jowell Jewish Day School – the buyer of the Tafelberg site.

Advocate Paul Farlam, who represented the school, said: "There are heritage considerations. Most of the buildings on the Tafelberg site are more than 60 years old and should be protected. Social housing would require the demolition of parts of the building."

Farlam said the heritage constraints would make a social housing

development at the Tafelberg site too expensive.

In 2017, the provincial Department of Public Works said it intended to sell the property to the Phyllis Jowell Jewish Day School for R135 million.

"The site would not be suitable for social housing because of the financial constraints," he said.

Farlam said that social housing sites were supposed to be 2ha or more, but the Tafelberg site was about 1.7ha, making it not financially viable for social housing.

The school intends to restore the building for continued use. It plans to demolish the mansions, which used to house 12 staffers, to build 44 new

affordable housing units. It will also add a restaurant and a day hospital that anybody can use, and later a Jewish home for the aged.

"The access to Jewish areas are sometimes restricted; this development is not exclusively to the Jewish community," Farlam said.

Judge Patrick Gamble interjected: "So the site is suitable for housing. The school itself plans to put up an old-age home on the site where it plans to accommodate 200 people. How can you argue the site isn't suitable for housing?"

Farlam was resilient with his argument that social housing would not be suitable because of financial constraints.

The Department of Human Settlements' lawyer Ishmail Jamie responded to Farlam: "Disposing of public land is meant to be inclusive. That's why there are provisions about intergovernmental co-operation in the Constitution."

He also pointed to the province's failure to publish the notice of intention to dispose Tafelberg in isiXhosa.

The department's main argument was that the province failed to co-operate and co-ordinate with the national and local governments when it decided to sell the Tafelberg property.

The matter continues today. Final arguments are expected to be heard.