

SANParks to hand over Chappies land for offices

Cape Times, Thursday, January 12, 2012

Melanie Gosling
Environment Writer

IN A MOVE that could set a precedent, SANParks said yesterday it would de-proclaim a piece of Table Mountain National Park on Chapman's Peak Drive to allow a private toll company to build its luxury offices.

SANParks chief executive officer David Mabunda told the Cape Times that because the land, just over 2 100m², had been used during construction of Chapman's Peak drive, it had "no significant biodiversity value, and can be excised for purposes of developments

that are in the public interest, given the well-known problem of land shortage in Cape Town".

Mabunda said "the de-proclamation process of this piece of land is now under way in terms of the Protected Areas Act 57 of 2003".

He said he believed the Western Cape government, which had altered the road reserve to include a chunk of national park so the office could be built for the toll company Entilini, was "acting in the interest of the public and country with this development, hence our full support for the development".

Mabunda's move has drawn a shocked response from members of the public, who say this will set a precedent.

Melissa Fourie, director of the Centre for Environmental Rights, described SANParks' decision as "bizarre".

"When I first read about this development I thought it was an April Fool's joke, especially coming after the big issue over Oudekraal. How do they justify it politically and morally? What benefit do we as the public get from it? What is their justification for putting this thing up on Chapman's Peak? Shortage of land? Oh please! The precedent SAN-

Parks has set is that they will have to justify in future why they don't de-proclaim other pieces of national parks for private use – and how will they do that?" Fourie said.

Terry Wyner of the Civil Rights Action Group said yesterday: "I am shocked. I can't believe our custodians of national parks can say: 'Oh well, it's useless land, it can go'. And one of the reasons they give is shortage of land in Cape Town? Hellooo. They can't give it to the people of Hangberg on the other side, but they can give it to a private company on Chapman's Peak. The point they're missing

To Page 4

MEC AGREED TO SCRAP DAY PASS LAST YEAR

Carlisle's sharp about-turn on Chapman's Peak

Melanie Gosling
Environment Writer

TRANSPORT MEC Robin Carlisle claims he does not want to see the free day pass on the Chapman's Peak toll road scrapped – yet he has signed a legal document agreeing to do just that.

Carlisle wrote in the Cape Times yesterday: "I am not in favour of the removal of day passes, which can only be implemented with my concurrence."

Discussions were under way with toll road concessionaires Entilini, he wrote, to find a solution in the best interests of all, "particularly the people of Cape Town to whom the mountains belong".

However, in the amended concession agreement with toll road concessionaires Entilini, which Carlisle signed in March last year, clause 16.2 states: "The parties have agreed to discontinue the day-pass system simultaneously with the commission of the Hout Bay Toll Plaza. Upon the request of the concessionaire to the Province, that the Province obtain approval from the Minister of Transport for the removal of the day-pass system, the Province shall obtain such approval."

The next clause says the scrapping of the day pass shall be effective from the date it is gazetted. Clause 16.4 says Entilini and the provincial government "will co-operate with each other to manage any public relations exercise required to deal with the discontinuation of the day-pass system".

The agreement was signed by Carlisle, by Finance MEC Alan Winde and the head of the



U-TURN: Transport MEC Robin Carlisle has hit out at the public outcry over a toll office

transport department, CJ Fourie. It was also signed by Entilini directors Robert Pomario and Enzo Menegallo.

The comment about the day pass was made in an article Carlisle wrote in the Cape Times yesterday, in which he hit out against the public outcry over the proposed two-storey office to be built for Entilini on Table Mountain National Parks land on the famous scenic drive. He criticised the Cape Times for saying there had been no public announcement that park land was to be used, and wrote that "nothing is being done now that was not known before" through an extensive public participation programme.

Hout Bay Residents' Association chairman Len Swimmer said yesterday this was not true. He said during the public consultation "no mention was ever made of an office building on Table Mountain National Park land, only on the road reserve".

The residents are now tak-

ing legal action, saying it is unlawful to build on park land.

Carlisle wrote that the cost of the development was "capped at R54m, but is likely to be less". He said the office building and the toll booths would cost "about R13m" and the roadworks R10m. He said other costs were R6m for electronic equipment, R2.5m for electricity and lighting and R1m for landscaping.

However, engineering company Haw and Inglis wrote in July last year that the rough cost breakdown was R27.7m for the office building and toll booths, and R5m for roadworks and infrastructure. Other costs the company gave were R5.7m for design fees, R8.3m for the toll collection system; R3m for slope stabilisation; R1.8m for external lighting; R1.2m for landscaping and R300 000 to remove the temporary toll plaza. The total is just over R53m.

Carlisle said Hout Bay residents who "now express such outrage about the plaza" had not lodged an appeal when it was approved in 2005.

Yesterday Swimmer said: "We did, and our appeal against it was taken, by hand, by Keith Fawcett, to Pretoria and delivered to the department. We never got a response to it."

Carlisle dismissed as "fairytale" residents' beliefs that the office was a luxury and in part designed for parties. However, he did not say in what way the many offices, the boardroom, large meeting room, kitchen areas, service area with counter and sliding doors on to covered and open terraces, were an essential part of a toll booth office.



NEW MOVE: A container is removed from the site on Chapman's Peak where the toll company, Entilini, plans to build its headquarters. Picture: MICHAEL WALKER

'Entilini has been given lawful approval for this office'

From Page 1

is that this is state land, for public use, and they're giving it to a private company."

He said Murray & Roberts' mission statement talks about commitment to sustainability and the environment, "but what's happening here is about environment. It's huge. I'm devastated."

Murray and Roberts is the senior partner of the Entilini Concession company.

Asked to comment on the public outcry yesterday and the fact that lawyers acting for residents say construction on the

land is unlawful until Parliament has de-proclaimed it, Murray & Roberts spokesman Ed Jardim said: "We believe that due process has been followed and, as part of the concession agreement, Entilini has been given the required and lawful approval to construct the operations office on this site."

Mabunda said yesterday that the toll gate project had gone through an environmental impact assessment (EIA) during which the public were given an opportunity to "state their side of the story".

He said the then environment minister, Marthinus van Schalkwyk, had approved the development in 2008.

In 2009 his successor, Buyelwa Sonjica, had approved site plans for the buildings.

Penny Brown of the Hout Bay Residents' Association said yesterday Mabunda's move would "set a bad precedent and encourage SANParks to de-proclaim bits of national parks for all sorts of reasons".

However, Patrick Dowling of the Wildlife and Environment Society of SA said: "To the best of our knowledge the issue of a

de-proclamation or withdrawal of part of the park to accommodate a tolling booth and office block was not comprehensively dealt with in the EIA process that Dr Mabunda refers to.

"Considering the very high public interest, the World Heritage status of Table Mountain National Park and the distinct socio-environmental nature of site, this aspect should not have been neglected," Dowling said.

"Irrespective of the biodiversity value of the area envisaged for withdrawal from the Table Mountain National Park, such a course of action must

not be taken lightly.

"There are probably thousands of potentially 'less worthy' spots in the country's parks that could be proposed for de-proclamation if enough precedent was established."

He said the Protected Areas Act had clear objectives.

These included the promotion of sustainable utilisation for the benefit of the public in a manner that would preserve the ecological character and promote participation of local communities in management of protected areas.