

Court seeks explanation over sudden change

Agriculture Minister Tina Joemat-Pettersson has been asked to explain the "sudden change of heart" that led to the approval of a R6bn golf course development after it had been blocked by her department.



Image: GCS

Joemat-Pettersson's involvement in the Lagoon Bay Lifestyle Estate outside George emerged this week in documents before the Supreme Court of Appeal in Bloemfontein.

Objectors and the provincial government are opposed to the project, which includes shops, a luxury hotel, business centre, chapel, cinema, health spa, two Retief Goosen signature golf courses and homes.

Lawyers representing the objectors, including property owners, discovered that the minister had a "change of heart" just weeks after being sent a letter from shareholder Cheslyn Mostert, a former national economic policy co-ordinator for the ANC.

Mostert wrote to Joemat-Pettersson on 30 March 2010, appealing to her to reverse an earlier "inappropriate" decision about Lagoon Bay. The letter is now part of the court record. "We kindly appeal to you to have the decision of the delegate of the minister: land use and soil management withdrawn in its totality," he wrote.

Six weeks later, on 13 May, developers received a letter from the "minister's delegate" confirming that the negative decision had been "withdrawn".

"I would like to inform you that the application is recommended on condition that the rezoning permit is available from George municipality," the letter said.

Rezoning granted

Lagoon Bay chief executive Werner Roux confirmed that the 13 May letter was key to securing a crucial rezoning permit from the George municipality.

Mostert, who is no longer a shareholder, declined to comment. He was a co-founder of IT firm Lefatshe Technologies, which tried but failed to secure a smart-chip identity card tender from home affairs.

Concerns about the letter raised in an affidavit submitted to court include that it has an incorrect reference number and could not be found in the department's official Lagoon Bay file. It also appears to contradict a second letter sent by the same department four days later, stating that development approval is subject to several onerous conditions.

Lawyers have queried the letters with several parties, including Joemat-Pettersson and Western Cape local government MEC Anton Bredell.

Attorney Glyn Williams wrote to Joemat-Pettersson on 11 February, saying: "I invite you to give an explanation for the sudden change of heart recorded in the letter by your delegate to the developer dated 13 May 2010 as compared with the content of the letter by your delegate to the developer, four days later, on 17 May 2010."

Bredell has instructed officials in his department to report the matter to the police's fraud unit. His spokesman, Peter Pullen, confirmed that a charge was being laid.

The minister's spokeswoman, Palesa Mokomele, said the Lagoon Bay application was not unprocedural. She said there was nothing suspicious about the two letters, both were genuine and had been received by the George municipality. The latter's head of legal services, Johan van Staden, did not respond to *Sunday Times* queries.

The developers say Lagoon Bay will create thousands of jobs and inject millions into the struggling local economy, whereas those objecting cite environmental concerns.

Source: *Sunday Times* via I-Net Bridge

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