

OBSERVATORY

Civic Association

DCAS Award Winner, 2018 : Most Active Conservation Body

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Monday, September 16, 2019

ATT: Ms Amy Hill, SRK Consulting

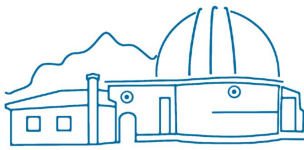
Letter of Objection: River Club Redevelopment Pre-Application BAR - DEA&DP Ref. No.: 16/3/3/6/7/2/A7/17/3104/16; HWC Case No.: 15112504WD1217E; DWS Ref. No.: 16/2/7/G22/A/11 and WU9026 River Club (Erf 26426, ERF 108936, Erf 26427, Erf 15326 Rem, Erf 26169, Erf 26170, Erf 26171, Erf 26172, Erf 26173, Erf 26174 and Erf 26175)

I write as the Chairperson of the Observatory Civic Association (OCA) to indicate the concerns of the OCA regarding the proposed development as outlined in the Basic Assessment Report. The Observatory Civic Association is the representative body of residents and businesses in Observatory as recognised by the City of Cape Town. We have been following in, and participating in the process involving this development over the past three years.

The OCA is opposed to the development on a number of grounds. These are detailed below and numbered for ease of reference.

However, before outlining our concerns, we wish to highlight the following regarding this Environmental Assessment process. The OCA and local community members have commented on the Draft Scoping Report (September 2016), the Revised Scoping Report (February 2016), the Draft Heritage Impact Assessment (March 2018) and the Revised Heritage Impact Assessment (May 2019). We have commented in detail and spent much voluntary and unpaid time to provide input. Yet, we find our comments are repeatedly ignored. We have to continue repeating the same comment twice or thrice. This is disrespectful and makes a mockery of a public participation process. It is no surprise that many people are cynical about this public consultation process being merely a tickbox exercise to achieve regulatory compliance rather than a serious engagement with interested and affected parties in a genuine participatory democracy.

We therefore insist on the following in future: When a consultative process is undertaken, as is the case with this Basic Assessment, the comments made by stakeholders (each stakeholder individually) must be itemised in a schedule and the response to the comment, whether the comment is accepted or rejected, detailed with evidence. That will enable the I&AP to see (a) that their comment is taken seriously, (b) what has been done in response to their comment; and (c) allow them to follow-up and take action, if they feel action is required. What is currently being perpetrated under the consultative process is obfuscatory and demoralising and inconsistent with the principles enumerated in the National Environmental Management Act, particularly those relating to participation, which has to be 'effective participation.' Simply being asked to comment and having your comments ignored is not 'effective participation.'



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As for the content of our submission, our objections are divided as follows:

1. The design of the proposed development
2. Land Use issues
3. Policy coherence
4. Hydrology and flooding
5. Cost and Feasibility
6. Heritage

1. The design of the proposed development

1.1 The scale and density of the development is inappropriate to the area. The heights of the buildings proposed are at minimum equal to the heights of the tallest permitted buildings in Observatory (25m), and at maximum, double the size. It is one thing to think that a grain silo might be 50m high, but the grain silo is a single building 100's of metres towards the North and hardly visible in the precinct. What is being proposed is a set of high-rise buildings where there are none at the moment. The SAAO have already pointed out that the huge buildings of up to 50m will be visible from the SAAO site, which is a national heritage site. The proposed bulk will significantly impact on the scenic qualities of this unique river confluence setting by obliterating the visual connection between Observatory and the SAAO across the Liesbeek River floodplain. The most significant view from Malta Road bridge will be completely obstructed.

1.2 The development proposed is also incredibly dense and laid out without imagination. It will create a characterless environment, particularly if only 20% of the development is for housing and the majority of space is for offices or shops closed at night. The development offers no sense of a social cohesion (e.g. no social amenities, pre-schools or creches). One will be living in a deserted high-rise office environment at night, which is not the kind of densification envisioned by current housing and densification policies, namely the City of Cape Town's Densification Policy of 2012. This policy supports higher densities in "specific locations", such as along activity and development routes and in urban nodes, none of which the subject site represents. Height, scale, form and orientation are to be informed by the contextual informants of the immediate surrounds such as the natural environment, land use, built and heritage character, infrastructure availability and capacity, and socio-economic considerations, in terms of this policy. While the Densification Policy identifies amenity / attraction areas as a "specific



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location” to consider densification, the policy is clear that densification should not compromise the unique qualities and attractiveness of these sites.

1.3 The reason why this development is so high and so dense in its construction is partly to offset the costs of the massive earthworks that will be needed to elevate the development above the flood plain. But these earthworks are only necessary because the developers are seeking to build in an area that is not meant to have such dense development – precisely because of the site’s role as a flood plain.. There is no reason why the public should be expected to accept such an intense development – effectively shifting the costs of a development onto the local community and the citizens of Cape Town.

1.4 We note as well that many of the proposed benefits (e.g. better walkability, public access) could be achieved by a different kind of development with a less dense footprint. The visual impacts on people and travellers around the site will be enormous given the size and density of the development proposed. (see the images taken from Appendix G6 pages 51 to 57).

2. Land Use issues

2.1 The current zoning is for Open Space with specified consent uses. The River Club owners have no ‘as of right’ entitlement to development rights. They bought the land with the existing zoning. The fact that a private entity owns part of the Two Rivers Urban Park land should not be taken to assume that the owners are entitled to build as they see fit on the land.

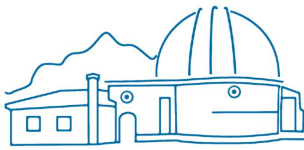
2.2 The current local spatial development plan precludes the development proposed and requires a deviation from the plan. In term of section 9.1 of the Municipal Planning Bylaw, a deviation from a local spatial development framework may only be permitted if” site specific circumstances justify the deviation.” We are unable to see specific site circumstances that justify such a deviation.

2.2.1 Firstly, the massive development includes only 4% of its floor space as inclusive housing. This is an insignificant contribution relative to the other uses it proposes to introduce.

2.2.2 Secondly, the development is highly prejudicial to heritage concerns (see below) and has significant environmental impacts (see below).

2.2.3 Lastly, since the proposal uses financial considerations exclusively to determine feasibility, we do not believe this justifies a deviation from the current planning framework.

2.3 Essentially, the decision-maker is being asked to sanction deviation from the local spatial development plan so that the developers can secure a 9% return on their investment in the first year of the development. They could still secure a slightly lower return on their investment with a less intrusive design which would lessen the adverse impacts but have chosen to dismiss these as ‘not feasible.’ Since there is going to be a process of revisiting the Table Bay District Plan and the impending local spatial development framework for the area, we believe it both premature and improper to allow deviation



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from the current District Plan and current local spatial development plan at this stage – particularly given the many problems associated with this development outlined in this objection.

2.4 Moreover, because the River club is a component of the Two Rivers Urban Park, which is recognised by the provincial and local authorities as a unique urban park, the change in the use of the land necessitated by such a development will deprive all Cape Town residents (not just residents in Observatory or environs) of a park space. We do not believe that a decision on the River Club is appropriate without a precinct plan being put in place. Given the City has signalled its intent to update all local spatial development plans, we argue that permitting this development will prejudice the process of developing a local development framework, by pre-empting the process and thereby undermine citizen's rights to participate in decision-making regarding local affairs as provided for in terms of the Section 16 of the Municipal Systems Act of 2000. Once a 150 000m² development is in place at the River Club, what meaningful participation is possible? This would make a mockery of democratic participation enshrined in our Constitution.

2.5 We recognise there is a pressing need for housing in the City, particularly for affordable housing. However, this development is primarily about commercial land uses and high-end accommodation, which, in total, comprise 96% of the development. We know already that much of the high-end accommodation built in Observatory remains unoccupied and let to Air BnB tenants or short-term rentals. Moreover, if the authorities are concerned about land use, undeveloped, well-located land exists outside of the park, where development could take place. In addition, the 2016 TRUP: Property Market Analysis presentation by Professor Francois Viruly suggested that based on market trends of that time, TRUP could absorb some 160 housing units per annum and 2,800 m² of office space per annum and retail facilities in the order of 10,000 m² over a ten-year period. The Cape Town property market is currently flat suggesting that even less development can be absorbed. This raises the question as to who this development is targeting? We don't believe that the River Club is responding to local housing and mixed land use demand.

2.6 We also note that for this development to go ahead, the City has to permit the developers to lease or purchase portions of land owned by the City. There are 11 portions of land involved, including four portions zoned as public open space. This represents an alienation of public land to serve a private purpose. We do not believe alienation of public land for this reason is justified.

2.7 Much is made in the proposal about the proposed extension of Berkeley Road as part of the City's traffic planning. However, the precise location of that extension is not a given nor is it a given that the extension will go ahead, since an entire public participation process will be needed to approve the extension. For example, a more costly but less intrusive extension might take the Berkeley Road extension across PRASA land rather than across the River Club, with less impact on the highly sensitive confluence of the Liesbeek and Black Rivers. We are in agreement with Heritage Western Cape when they note that "That there appears to be a cross subsidy of the development to help fund the City's proposed Berkley Road extension should in no way be used as mitigation to try and argue for sustainable and economic benefits." Futhermore, the nature and scale of the road is inappropriate. If



the road has to be in place to ease traffic flow for Cape Town across the city and not serve the massive development on the River Club, it can be more appropriately scaled and prioritised to public transport and non-motorised transport.

3. Policy coherence

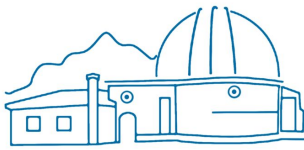
3.1 The contribution to affordable housing is only 4% of the development as a whole. Notably, the City has moved to ensure that all new developments of this kind will be required to provide a component of affordable housing, so the fact that there is affordable housing in the proposal is immaterial to considering the merits of the application.

3.2 Moreover, the developers are explicit in proposing that the inclusive housing will target civil servants (teachers, nurses and policemen) within the salary bracket of R 6000 to R 18000 per month. This not obviously likely to achieve the Spatial justice objectives of SPLUMA. For example, as the owner of RRL intimated in a newspaper article, affordable housing in the River Club development will enable black nurses living in Khayelitsha to move closer to work. However, removing middle class professionals and public servants from poorer areas of Cape Town and relocating them to the middle of an upmarket development on the Liesbeek will exacerbate social inequality, since the outmigration of middle-class professionals from poorer areas will reduce local spending capacity, local rates base and lessen political pressures to address crime and other social ills, leaving these poorer areas worse off. Moreover, given that 80% of accommodation will be high-end accommodation, it is likely that this development will be a niche market for the relatively wealthy and will be heavily reliant on private transport, which is both detrimental and exacerbates the existing congestion the area experiences.

3.3 Thus, far from reducing spatial inequality, this development may well exacerbate the divided nature of Cape Town.

4. Hydrology and flooding

4.1 The hydrology report acknowledges that flooding will be more frequent as a result of the infilling and will be more severe but appears to minimise the impact of the increased level of future floods of 15 cm by discounting this as insignificant. However, the argument that the additional flooding risk is minimal appears to be dependent on the ability for flood water to dissipate over the PRASA land to the north. For example, the hydrology report argues that “PRASA should not be allowed to close the existing overland flood route that extends across its property, as this is important for mitigating flood risk.” It appears irresponsible in the extreme to permit a very dense development to proceed on the River Club site when the consequence of such a development, which intrinsically increases both the frequency and severity of flooding, require a third party to desist from developing their land in ways that might interfere with run-off from a flood.



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4.2 We know also that Climate Change will bring increasing likelihood of extreme weather events. It is certainly going to result in increased sea levels, with potential implications for water systems that flow into Table Bay. Yet the hydrology report explicitly ignore this issue in saying that any **“investigation of the impacts of sea level rise is beyond the scope of this study, however it would be in the City’s interest to undertake further modelling to assess how climate change and sea level rise impacts could be mitigated.”** It is therefore unclear how this development, given the exclusion of these key considerations, can be permitted with such risks.

4.3 We note as well that at the TRUP workshop held on 18 February 2017 at the River Club, the TRUP Team and particularly the Dutch representatives stated that it would be inappropriate to develop in the River Club floodplain. They intimated that it would be more appropriate for the LLP to swap land with public land holders i.e. land that is more appropriate for development within the vicinity of the RC or TRUP. One of the reasons, among others, is that filling in of the River Club for construction will require raising ground levels which will not only be extraordinarily expensive but also necessitate land as compensation for storage capacity elsewhere in the TRUP area.

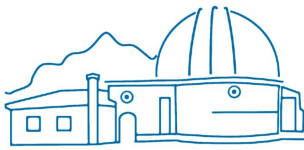
5. Cost and Feasibility

5.1 As indicated above, the reason the development is so dense is because the site lies in a floodplain, resulting in the construction of any development requiring massive infill, which escalates the cost. It is because the developers want a 9% return on their investment, they have to build so densely. If the developers accepted a small but still substantial profit margin, they could build a less dense development that is able to yield a return but do so without impacting as severely on the environment and on heritage resources.

5.2 The notion that a 9% return on investment is the criterion for feasibility is based on a valuation opinion contained in Appendix K3. This opinion states “Taking into consideration the above factors, current economic sentiment, forecasts, and market trends. We believe feasibility prospects and potential development returns with market capitalization rates that are substantially below 9% are not commercially viable, particularly in the present investment environment.” It is because of this argument that the developers discount Alternatives 3 and 4 in their assessment (and, in fact, discount any alternatives which do not generate them a 9% profit).

5.3 However, we draw your attention to the fact that the advisory opinion was authored by a valuator who has a major conflict of interest since she is employed predominantly by Investec who are the financiers of the development. She can hardly be regarded as independent since she has a direct interest in the profitability of the development. Since her opinion is used to discount alternatives that are less intrusive, we believe the feasibility assessment is fatally flawed.

5.4 Further, the valuation and estimation of first year profits does not take into account the land price paid at the time of purchase which was considerably lower than market value and considerably lower



than what they have used in this estimate. Had they had included the actual price paid then their initial yields would have increased significantly.

5.5 Lastly, and most importantly, the assumption that feasibility is simply economic feasibility is not correct. Under Section 240(1)(b)(iv) of the National Environmental Management Amendment Act, alternatives must be reasonable and feasible. Feasibility is not just determined by financial returns. Feasibility must be demonstrated in respect of social, environmental and (socio) economic considerations which must be balanced – including the impact on heritage resources. Since the proposal's feasibility assumptions are flawed, we believe the proposals must engage with a range of alternatives and cannot simply assume the most profitable are the only feasible alternatives.

6. Heritage

6.1 There can be no doubt that the development will forever destroy the sense of place at the site. It will hugely alter views looking in to the site and views looking out across parts of Cape Town. Once concrete and bricks are laid for 150 000m² of buildings, the site will be irrevocably changed.

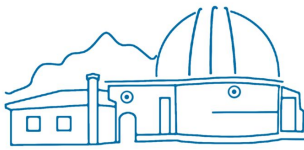
6.2 Given that the site, particularly the confluence of the two rivers, is of intense cultural and heritage significance for the Khoi, one would expect the project, through its Heritage Impact Assessment, to demonstrate respect for the heritage resources involved. However, we are deeply dismayed at the level of disregard for heritage matters in the HIA and particularly how the Khoi heritage is treated.

6.3 The HIA continues to describe a report by Kaplan (in O'Donoghue 2017) as an archaeological survey. We pointed out in our comments on the HIA in an addendum dated 11th May that the Kaplan report is nothing like an archeological survey but rather a two-page opinion based on a visit of less than one day. The report is even titled "ARCHAEOLOGICAL OPPORTUNITIES AND CONSTRAINTS

ANALYSIS" rather than "survey." While the report comes to the conclusion that the "probability of locating significant archaeological heritage during implementation of the project is therefore considered to be very low," it does so on the basis of a "field assessment of the site" undertaken on 17th July 2015 – one day to come to such a conclusion.

6.4 This is in stark contrast to the detailed report for the TRUP Baseline study, which concluded, after a lengthy investigation, that "The Varsche Drift crossings are worthy of further physical heritage survey and assessment albeit that the area lies within a milieu of railway and freeway crossings; The confluence of the Black and Liesbeek Rivers has special significance as it this is possibly the least untransformed wetland in the study area; Any open land within the study area ... should be considered to be potentially archaeologically sensitive and should be screened/surveyed before any transformation or development." No such survey has been conducted, nor has our comment on the draft HIA been responded to in any way. It appears to have been completely ignored by the consultant.

6.5 The claim that there are no findings of an "archaeological signature of pre-colonial people" in the area (contrasted with other parts of the Cape Peninsula) is used to argue that it is only the Liesbeek



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River, the confluence with the Black River, the banks, and the riverine corridor that represent the “significant heritage resource associated with the site.” It is illogical to argue, on the one hand, that the site, because it has undergone major disturbance, is not itself of heritage significance, and then to argue because you can’t find any evidence of the heritage footprint because of the disturbance of land, that there can’t have been any significant presence by Khoi people. If you destroy the middens by building a golf course, there will obviously be no archeological evidence. It’s a circular argument which the heritage consultant appears to use constantly.

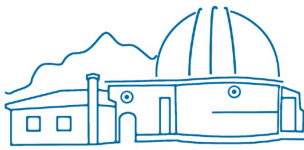
6.6 We note that Heritage Western Cape has also expressed its unhappiness with this dismissal of the intangible heritage in their assessment of the HIA¹ – “the HIA gives no significance to the floodplain between the rivers, and supports the redevelopment of the River Club site, which immediately abuts and provides the green setting for this river corridor with a bulk of 150 000m² and heights of 10 storeys... It is not just the riverine corridor, (unrehabilitated or not), but the entire TRUP valley including the riparian corridor which is noted as highly significant and is expressed in both its tangible and intangible qualities.” We agree with the HWC assessment that it is “the post-rationalizing of the development that has resulted in the incongruence in the report,” a point which we made in our comments on the HIA on 2nd May and which we made on the first HIA report in Feb 2018. On both occasions, our comments appear to have simply been ignored.

6.7 In this regard, we have to ask what is the point of inviting comments if the consultant does not respond to the comments? It makes a mockery of consultation. Since HWC appears to agree with our

assessment, we believe the HIA is fundamentally flawed. It has pushed a pre-decided design of the developers and has not sufficiently been able to distance itself from the developer’s claim of what is feasible to be a really independent HIA. It must be dismissed and a new HIA started.

6.8 We note as well that the HIA has not engaged with the Khoi leadership over its construction of Khoi heritage and the sense of place at the River Club. In February 2018, the HIA consultant approached the OCA with a first draft of his report. In his presentation to the community, he was asked if he had consulted the first nations groups. He claimed he had but was unable to say who he had consulted and when the consultation took place. He was asked the names of the traditional Khoi groups endemic to the area, and he was unable to answer this. This was still the case at the time of the Ministerial Appeal Tribunal later in 2018 and still is the case in this report. We are unable to discern where any consultation with the Khoi chiefs has informed this report. There is no reference to any meetings or discussions with Khoi leaders apart ‘overtures’ with A/XARRA Restorative Justice Forum at UCT and a mention of the First People’s Museum without any context, summary, or mention of key persons. As HWC note, “until the Basic Assessment Report, which addresses concerns already ventilated by HWC, and in particular meaningful consultation with representatives of the First Nation and Cape Indigene groups in order to better understand the significance of the site to these groups, has been incorporated into the study; any application for development of a property within the TRUP area is in danger of being compromised.

¹ See Approved Minutes of the Special Meeting of the Impact Assessment Committee (IACOM) of Heritage Western Cape (HWC) held on the 1st Floor in the Boardroom, Protea Assurance Building, Greenmarket Square, Cape Town, at 09H30 on Thursday, 22 August 2019, available at HWC website.



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That the applicant has chosen to proceed with the application, without meaningful reference to any of the previous studies is regarded as unfortunate.”

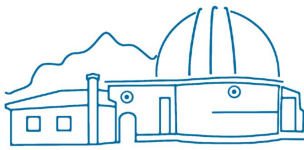
We concur. The HIA misses a fundamental responsibility of drawing from an ethical framework that seeks to corroborate basic statutory requirements set out by the NHRA.

We would like to point out that The National Estate The NHRA (No. 25 of 1999) defines the heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations that must be considered part of the national estate to include:

... places to which oral traditions are attached or which are associated with living heritage; historical settlements and townscapes; landscapes and natural features of cultural significance; geological sites of scientific or cultural importance; archaeological and palaeontological sites; graves and burial grounds, including ancestral graves; royal graves and graves of traditional leaders; graves of victims of conflict; graves of individuals designated by the Minister by notice in the Gazette; historical graves and cemeteries; and other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983); sites of significance relating to the history of slavery in South Africa; objects to which oral traditions are attached or which are associated with living heritage.

Cultural significance In the NHRA, Section 2 (vi), it is stated that “cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. This is determined in relation to a site or feature’s uniqueness, condition of preservation and research potential. According to Section 3(3) of the NHRA, a place or object is to be considered part of the national estate if it has **cultural significance** or other special value because of its importance in the community, or pattern of South Africa's history; its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage; its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage; its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects; its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group; its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons; its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and sites of significance relating to the history of slavery in South Africa.

Based on the preceding criteria and how it relates to the HIA, there is strong evidence to suggest a deliberate downplaying and re-arrangement of the primary heritage focus toward the River. Also noted is the astonishingly high mentioning of the Western Leopard Toad in this BAR against the total lack of specificity on the proposed commemorative museum. This ostensibly places the River and the animals in its surroundings as primary heritage resources while relegating the living history of the invaluable ancestral human footprint to an afterthought to be confirmed later. One example of a crucial narrative



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totally unexplored is that this site is where the first slaves were deployed by the Dutch East India Company, on the Mostert Farms which include the site. A site where the first incidents of runaway slaves used for agricultural purposes took place, who were often given refuge by the Khoi. These slaves were of Javanese, Goan, Indian, Madagascan and Mozambican descent, and predominantly Muslim which opens up another ethnocided archive of diversity which is yet to be fully explored in the area. Its international significance is nowhere to be seen. That the place has a high level of historical exchange with the Kingdoms of Portugal and Netherlands, as well as Great Britain together with the four primary sovereign Khoi groups endemic to the area, the Goringhaicona, Goringhaiqua, Cochoqua, and Gorachoqua.

6.9 The BAR also makes mention of memorialising Khoi heritage by erecting a museum or cultural centre. The confluence of the two rivers is the epicentre of intangible heritage and is likely to house whatever memorial is established on the development. Yet the design of the development locates two buildings closest to the confluence of the rivers that are both in excess of 44m high. This will mean the memorial centre will be dwarfed by two enormous structures to the north and residents and office staff in this structure will be able to peer down at the memorial centre below, depriving those at the centre of any privacy or dignity. The aesthetic qualities and design of these structures seem to have made with the erring assumption that they will be acceptable to the ritual practices of the Khoi.

6.10 Furthermore the site for erecting of a museum or cultural centre will be close to the Berkley Road extension, a massive piece of infrastructure accommodating high volumes of traffic that in turn generate noise and air pollution. Any building located close to the proposed bulk and infrastructure is unlikely to be able to memorialise effectively given its dislocation from the landscape which gives it meaning. Moreover, drivers throw cigarettes, plastic wrappers, food containers and other detritus out of car windows with abandon in South Africa. This will be visited not upon the residents or employees in the 44m apartment buildings but on the memorial centre below, and on any visitors or community members performing any outdoor rituals. Quite frankly, this thoughtless design is an insult to the dignity of the parties seeking to have their heritage resources recognised.

6.11 Moreover, it is instructive that the developers have not factored jobs linked to the memorial centre into their Socio-Economic Specialist study (Appendix G4) since table 5.3 makes no mention of the memorial centre or the number of jobs likely to be linked to this centre. The table is, however, able to identify the 11 jobs anticipated to be created by the "letting team" but is incapable of identifying the number of jobs linked to heritage preservation and conservation. We therefore question how serious the developers are with regard to this proposal to preserve heritage and whether it is just a token gesture to bypass much more serious heritage concerns.

6.12 In the Ministerial Tribunal, legal counsel for the developers committed to consulting the traditional leaders of the first nations affected. The HIA shows no evidence of such consultation and makes no

mention of any meetings held with first nation leaders to amend the report or take into account their perspectives. This is astonishingly in its audacity to ignore the voices of those who have been subject to centuries of discrimination, exclusion and attempted extermination.



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6.13 Lastly, the entire idea of capturing intangible heritage in a closed space entirely misses the point about the Khoi legacy in the Liesbeek valley. As articulated by HWC, “The Committee also noted that a ‘memorial’ / ‘museum’ and recreated river courses were inadequate in commemorating the significance of the site and appears to ‘box-in’ heritage significance when the remaining sense of place is not recovered but destroyed. A portion allocated to the museum on the northern-most corner is inconsistent with the significance, and the bulk and mass of the development proposal does not respond to the site as a living heritage.” We agree with this assessment as we do with the view that the HIA has failed to meet the statutory requirements of Section 38(3) of the NHRA and will not do so until there is meaningful engagement with the First Nation Groupings, and that it must be integrated with, and informed by the Baseline Study being conducted for the wider TRUP area.

The Observatory Civic Association is therefore opposed to the development put forward by LLP. We assert that this development is not in line with the current previously consulted LSDF Contextual Framework, Table Bay District Plan and other Environmental, Heritage and Policy affecting the site.

Further to this, Any proposed substantial changes in the local existing Development Framework rights should be assessed only within the broader TRUP LSDF and if not compliant, should be rejected. Alternatively, it should only be assessed within the broader TRUP LSDF and District Plan once those have been updated following full I&AP Stakeholder Consultation processes and Co-Design, that should also be explored within the broader ‘Heart of the City’ and surrounding District Areas.

We hope this submission will receive the serious attention it deserves.

We are proud of the heritage we share with all humanity, and will defend it always.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tauriq Jenkins', with a long, sweeping flourish extending to the right.

Tauriq Jenkins
Chair, Observatory Civic Association on behalf of the OCA