

Proforma: The Two Rivers Urban Park Local Spatial Development Plan (LSDF)

Address the comment to Cindy Postlethwayt

Title: Draft Phase 1 Heritage Impact Assessment for the Site 'Two Rivers' (formerly Two Rivers Urban Park)

Send it to cindy@cpheritage.co.za

Cc to Aneesa.Mohamed@capetown.gov.za and ldg@obs.org.za

A proforma letter is pasted below

=====

Address

Date

Dear Ms Postlethwayt

Draft Phase 1 Heritage Impact Assessment for the Site 'Two Rivers' (formerly Two Rivers Urban Park)

I write as an Interested and Affected Party to lodge my comments with respect to the Draft Phase 1 Heritage Impact Assessment for the Site 'Two Rivers' (formerly Two Rivers Urban Park as advertised for comment by December 17th 2019.

<comments...>

Please confirm receipt.

Thank you for the opportunity to submit comments on this policy

Yours

... name ...

There are a few general issues that emerge from the document

1. The HIA does not clearly state that the whole TRUP area requires grading by Heritage Western Cape as an urgent priority.
2. The HIA calls for participative and inclusive processes but does not recognize that a previous Participative and inclusive process was shut down by the City in favour of fast tracking the LSDF.
3. Intangible heritage must be included in overall planning and not left just for later integration in design and development planning at precinct level.
4. The HIA is silent on design indicators for development in the site and should specify limits to bulk of any development and non-negotiable protections related to visual connectedness and heritage priorities.
5. A comprehensive archaeological survey for the whole site is urgently needed.
6. The River Club proposes to infill the original river course for the Liesbeek which will impact on the importance of their confluence as a substantial, authentic indigenous landscape memory that has to be celebrated.
7. The HIA appears to accept that socio-economic benefits can justify loss of heritage. If a proposed development impacts so severely on heritage that it irrevocably changes the character of a site, no amount of residential development or social housing can restore intangible heritage lost.
8. The first nation report misrepresents claims that first nation voices wanted distributed spaces of engagement and indigenous place-making. The first nation interviewees certainly wanted indigenous place-making but they saw the whole TRUP site as important for celebrating heritage. Allowing heritage to be sequestered in isolated spots may enable development to destroy heritage.

Details you could highlight (which include the above points) include:

The HIA refers to the site as “Two Rivers (formally TRUP).”	The bulk of the site is a park. It is irrelevant that the City has added portions of Ndabeni since even with Ndabeni, the area was recognized as TRUP. Renaming the site without public participation is undemocratic.
The HIA focuses strongly on first nation experience and perspectives	This is to be welcomed as it has been neglected in the past
Grading the Site in terms of Heritage	Given that the HIA recognises that “in many respects, the intangible heritage factors could be regarded as being of at least Grade II significance, probably of the highest order,” (page 19) it is particularly puzzling why grading of the site is not prioritised as a recommendation. We believe the whole TR site should be graded by Heritage Western Cape before a Development Framework is put in place.
Participative and inclusive processes	The HIA notes “it is important that the processes of further planning and implementation of projects in the study area are as collaborative and multi-vocal as possible.” We agree but ask why it is the case that previous participative co-design processes for TRUP have been shut down? There is no point if participation

	generates an outcome that planners or politicians don't like and then have the power to shut down any such 'inclusive' processes.
Intangible heritage in all planning stages	The HIA notes that tangible heritage is easier to define than intangible heritage, which should be integrated "into later design and development planning." We disagree. Intangible heritage should not be left for later integration in design and development planning. Intangible heritage should directly inform the overall SDF for the site.
The HIA appears to be silent on design indicators for development in the site.	This is a big problem. Large, bulky intrusive buildings will impede the visual connectedness of sites, which impairs the heritage resource. For example, views between the Mountain and the Observatory are important connections for Observatory's historical place; first nation people who celebrate important ceremonies need visual connectedness to Lion's Head. For that to be preserved, any bulk developments on the River Club need to ensure that visual connections between different points on the river and the mountain are not interfered with by tall buildings. However, there is no comment on the fact that a number of large buildings as high as 47m are planned in proximity to any ceremonial site in the report. If the First Nation narrative is to be taken seriously, why does the report not insist that bulk cannot be maximised (as desired in the LSDF) for the sake of development in areas 'where development can take place'? This is a very serious oversight.
The HIA proposes a "network of public spaces, landscapes and cultural spaces" that "could most appropriately provide the opportunity to link the intangible and tangible heritage related to the site, and would be sufficiently open-ended to accommodate any future, more considered and consultative project input from any relevant parties."	There is no mention of how the scale and bulk of development might make such a network meaningless. If a small amphitheatre space is located between two 32m and 47m high buildings, it is a completely different sense of place to one where there is a tangible feeling of Open Space.
Archaeology - the HIA notes on page 42 that "sites identified as being of archaeological significance will need potential further archaeological investigation and input in terms of S 35 of the NHRA."	However, it is not clear how such sites will be identified if a comprehensive assessment of the site is not launched at the start. It is not impossible to understand what archaeological findings would be impacted on by proposed developments unless a comprehensive archaeological survey is completed. This should be an urgent priority recommendation. This is a major flaw.
The River as heritage - The HIA notes that "The Two Rivers site is of outstanding cultural	If this is the case, it is puzzling why no comment is made by the HIA about the fact that

<p>significance in terms of living memory” and emphasises the importance of their confluence as “a substantial, authentic indigenous landscape memory that has to be celebrated.”</p>	<p>But the River Club development proposes to create an artificial river course out of the canalised diversion of the Liesbeek and plans to fill in the old course of the Liebseek north of station road. The confluence of the canal with the Black River is not the real confluence of the rivers. One cannot reinvent an authentic connection to the river by redesigning an artificial canal as a river.</p>
<p>The HIA notes that that “explorations of significance and culture do not preserve a landscape absolutely or prevent appropriate development but use the unique cultural qualities of the area and the narratives which shaped it to enrich an understanding of the diversity of Cape culture and history.”</p>	<p>Who decides what is appropriate development and what is appropriate? The HIA should put in place design criteria that ensure that SPLUMA priorities for access to jobs and affordable housing are realized at the same time as protecting heritage.</p>
<p>The HIA and LSDF both emphasise “Distributed space for memorialization”</p>	<p>How will such distributed space provide an integrate heritage experience? A memorial here, a museum there, can be experienced as quite alienating. Experience from other settings in other countries where similar kinds of memorialisation of first nation history was implemented suggest that it was most successful when mainstreamed into wider public experiences and exposures. This HIA appears to conceptualise the Khoi and other first people’s histories as unique and to be savoured in a sequestered experience, when there are many very direct and routine opportunities to reflect this heritage in everyday structures and activities.</p>
<p>The HIA report appears ambivalent as to the role HWC should play role in overseeing heritage protections in the area.</p>	<p>It is important the HIA recognise HWC’s statutory responsibilities, which would include overseeing heritage protections in the area and completing a heritage grading of the entire site. Rather than HWC playing ‘a part in facilitating’ a project to give life and local meaning to heritage recognition, it is surely HWC’s role to lead such a process. This is especially important, given the HIA’s recognition that, “in many respects, the intangible heritage factors could be regarded as being of at least Grade II significance, probably of the highest order.”</p>
<p>The HIA states that if at least 40% of the land use of the developable portion is residential, and if at least 20% of that is social housing, this could be said to “mitigate potential heritage impacts.”</p>	<p>This statement cannot be correct. If a proposed development impacts so severely on heritage that it irrevocably changes the character of a site, no amount of residential development for social housing can restore intangible heritage lost. It seems the HIA is seeking to accommodate the existing proposals for the River Club by using arguments that are not based on what an HIA should be doing.</p>

<p>The “restoration of the river corridors, floodplains and wetlands” is proposed as an activity to address heritage concerns, particularly given their being recognised for “outstanding cultural significance” and for which “a substantial, authentic indigenous landscape memory that has to be celebrated.”</p>	<p>No mention is made of the fact that the proposed River Club development intends to fill in the remnant of the Liesbeek River that follows the authentic course original to the Liesbeek. Alternative designs were considered by the developers to retain the original course but have not been adopted. If authenticity were critical, then some engagement with this decision should be expected in the HIA.</p>
<p>In the specialist First Nation report, the fragmentation and alteration of the site is used to justify creating an indigenous commemorative landscape with distributed spaces of engagement and indigenous place-making, spanning different precincts</p>	<p>There is no evidence in the First Nation report that any of the First Nation respondents wanted a distributed memorialization. Respondents want to see the entire precinct linked to the two rivers protected as one precinct. The HIA appears to place undue emphasis on this idea of the TRUP being multiple precincts where distinct heritage points or spaces can be located – without any evidence this is desired by First Nation respondents.</p>