

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

Address the comment to Aneesa Mohamed, Project Manager, Urban Catalytic Investment Department, Spatial Planning and Environment Directorate, City of Cape Town

Title: Two Rivers (LSDF) Local Spatial Development Framework (Draft October 2019)

Send it to trulsdf@capetown.gov.za

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

A proforma letter is pasted below

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Address

Date

Dear Ms Mohamed

Two Rivers (LSDF) Local Spatial Development Framework (Draft October 2019)

I write as an Interested and Affected Party to lodge my comments with respect to the draft Two Rivers (LSDF) Local Spatial Development Framework 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 ...

Possible Comments on the overall LSDF

There are a few general issues that emerge from the document

1. The process by which this LSDF has been developed has been non-transparent and has bypassed the agreed process coming out a co-design process which the City initiated in 2015. It has dumped that process in favour of fast-tracking the new LSDF.
2. The fast-tracking of the LSDF is not in the interest of the broader community.
3. The TRUP should be properly assessed for heritage grading before a LSDF is rushed through
4. The LSDF accepts as a given that high density development is appropriate in the River Club site. There is abundant evidence that the River Club development is far too dense in bulk and scale, is inappropriate to the context and will adversely impact on heritage and the environment.
5. The recommendations of the Botanical specialist have not been ignored.
6. The LSDF does not provide evidence for claims that impacts on flooding will be minimal if development is allowed in the floodplain. It relies on studies which do not state their assumptions and dependencies.
7. The financial stability of the City may be undermined if flooding result in financial liability to the City.
8. The blasé attitude in the LSDF towards increased flooding risk contradicts the Western Cape Government in the Western Cape Climate Change Response Strategy (February 2014)
9. The attention to heritage in the LSDF is insufficient.

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

<p>The LSDF refers to the site as “Two Rivers (formally TRUP).”</p>	<p>The bulk of the site is a park. There are parts of the Park which are not conservation areas, or Open Space, but the bulk of the land is linked to the Open Space of TRUP. It is therefore incorrect to drop the Urban Park from the name. It is irrelevant that the City has added portions of Ndabeni to the LSDF, since even with Ndabeni, the area was recognized as TRUP not Two Rivers, in the Metropolitan Spatial Development Plan of 2018. Renaming the site without public participation is undemocratic.</p>
<p>Lack of consultation in the 2019 LSDF and bad faith following a 2015-2017 co-design process.</p>	<p>The Mayor in 2015 signed off on a Co-design process to develop a new LSDF for TRUP. Many stakeholders invested much time in developing a vision for the TRUP. This design process agreed on a process plan [see graphic below] which would see a series of iterative workshops involving extensive participation to reach a design. However, the announcement of an already formulated LSDF came as a surprise since it has leapfrogged two stages in the agreed co-design and presented the LSDF in final stages. The consultation is at risk to being token.</p>

[See the figure below taken from the TRUP Co-design process Process Plan, 2017 – Stages 2 and 3 have simply been bypassed]

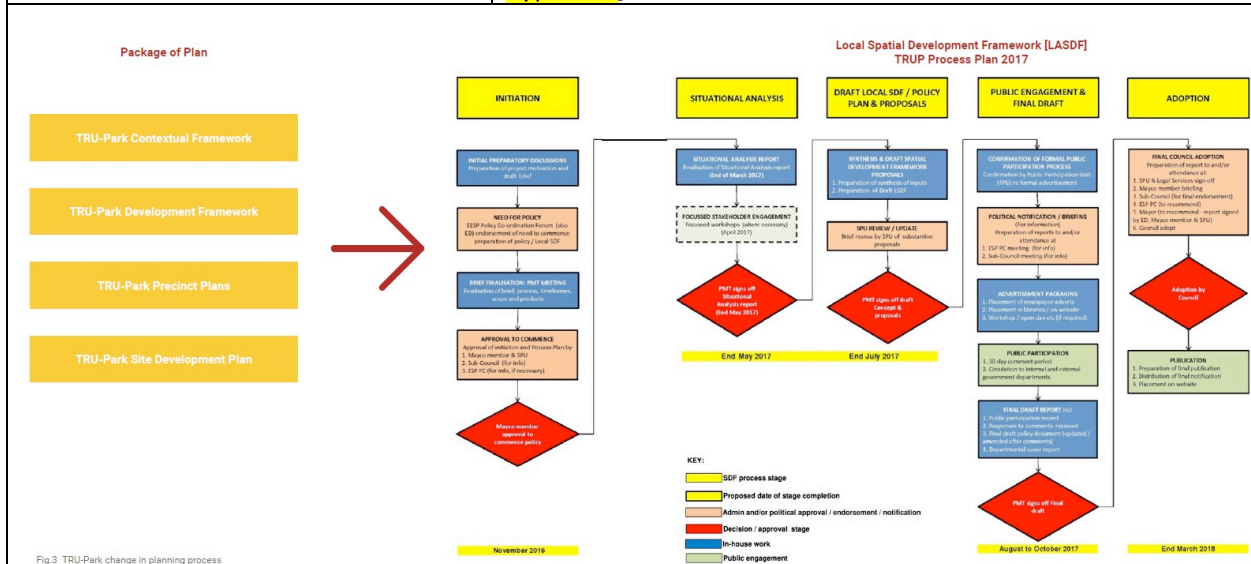


Fig.3 TRU-Park change in planning process

Transport

In relation to the River Club, the changes proposed to extend Berkeley Road and to widen Liesbeek Parkway will barely cope with the existing traffic congestion, let alone with the additional vehicular traffic due to the development. The LSDF does not sufficiently recognize that existing public transport is functioning poorly, located far from the site and is unlikely to be improved in the future, particularly the rail system. There are no guidelines which stipulate a reduction in car access or parking.

Flooding

- The LSDF does not present the primary studies on which the claim is made that the proposed development of the River Club would have minimal impact on the extent or nature of the floodplain so it cannot be examined or tested. The flooding will get worse – more severe and more frequent. This will be aggravated by rising sea levels with climate change, leading to rising water backing up the Salt River.
- Prof Kevin Winter’s research suggests that poorly planned development can actually interfere with recharge of underground water, thereby impairing the City’s water resilience. **Environmental Resilience cannot be achieved merely by** protecting the ecological corridors and investing in more sustainable energy and water supply systems.
- The claim flooding risk will be minimally increased is based on too many contingencies, assumptions and uncertainties to justify the financial, legal, ecological and

	<p>flood risks that development in the flood plain, and particularly on the River Club site, may bring.</p> <ul style="list-style-type: none"> • The blasé attitude in the LSDF towards increased flooding risk contradicts the Western Cape Government in the Western Cape Climate Change Response Strategy (February 2014) • One cannot argue that “mitigation measures to prevent flooding must be offset against the additional jobs, economic development and contribution”, when there is huge uncertainty about the unknown risks that development in the floodplain can bring, uncertainty recognized in various of the expert hydrology reports. Besides health and safety risks, possible impacts on municipal financial stability as a result of poor planning decisions must be considered.
Heritage	<p>The LSDF makes no reference to the intention expressed by Heritage Western Cape to grade the TRUP site. Even the HIA under the LSDF recognizes that “in many respects, the intangible heritage factors could be regarded as being of at least Grade II significance, probably of the highest order.” So why is the LSDF not calling on HWC to conduct the studies necessary to grade the TRUP first?</p> <p>Although the LSDF recognizes that there has been no “comprehensive archaeological survey don,” it is unclear why this vitally important work has not been undertaken, given that the process of drafting this framework has been ongoing for nearly 4 years. It is impossible to understand what archaeological findings would be impacted on by the proposed development. This is a major flaw of the TR LSDF.</p>
Sewerage Infrastructure	<p>The sewerage infrastructure in Observatory is ageing. There are instances where residents report that sewerage from French drains co-mingles with storm water flooding. There is no recognition of the challenges of providing the needed infrastructure to cope with heavy development in the area.</p>
Planning Issues	<ul style="list-style-type: none"> • There is little consideration for how the site can be connected north and south to the City, which was a feature of the previous co-design with stakeholders in 2016 / 2017 but has been jettisoned in this plan. • Strategically located public land which has always been seen as the main development opportunity remains largely untouched in this LSDF. This begs the question why the site is defined as it is. • The LSDF authors appear to have accepted the River Club development, in its form and scale, as a foregone

	<p>conclusion. Rather than plan what the site needs from a comprehensive planning perspective, this LSDF takes it as a given that the very dense and intensive development proposed by LLPT as the developers, will automatically proceed as proposed by the applicant.</p> <ul style="list-style-type: none"> • The guidance is not clear on the maximum height and footprint of proposed developments in the site. • Distribution of floor space and land use over the whole TR LSDF study area is unclear • TR LSDF argues that because “...there are very few redevelopment opportunities due to environmental, heritage and other constraints ... the sites that can be redeveloped should be maximised.” While it is the case that important environmental, heritage and other factors constrain development, they cannot justify the irrational and unreasonable over-bulking of the site to preposterous extents, in the order of 430,000m² residential GLA, 440,000m² commercial and office GLA, and 470,000m² industrial GLA. These extreme proposals are inconsistent with the Table Bay District Plan. • Using spatial justice and restructuring as an argument for developing the site to the scale and extent proposed, is both illogical and inappropriate against the fact of climate change.
<p>The River club Precinct</p>	<ul style="list-style-type: none"> • The guidelines are very unclear about where the public will be allowed to enter the River Club precinct on foot. The Concept Plan suggests the general public can walk all around the periphery of the site (See p114) but there is no suggestion that they can walk across or through the precinct. This suggests that the development can be completely securitised and made off limits to the general public. Given the location of the River Club site within a river corridor and part of landscape that should be a provincial heritage resource, this seems highly inappropriate. • There is no clear guidance on the maximum height and footprint of any proposed developments in the area. Why this is a problem is particularly well illustrated in the case of the River club where it is proposed that buildings of 47m height be distributed throughout a very dense built site. Since visual connection involving Khoi sacred sites, the mountain and the Observatory are all key heritage matters, the lack of guidance may allow for massive development that destroys heritage and a sense of place.
<p>Public open space and sportsfields</p>	<p>The LSDF notes that there is an increased need for more public sportsfields because of a growing population in the</p>

	<p>area. If this is recognised, why is the City handing over public land to Cape Town City Football club by leasing Malta Park a private entity who has closed off one field and laid down astroturf?</p>
Flora	<p>The Botanical report proposes that for development in a medium faunal sensitivity area, any such development should not occupy more than 5% of the total area. What is proposed in the TR LSDF is not development on 5% of these areas, but rather the near total eradication of these areas of Medium Faunal Sensitivity. The recommendations of the specialist have not been taken into account, but, rather, have been ignored.</p>

