



## MEMORANDUM

To: Nigel Titus  
From: Mark Bell  
Date: 4 May 2020  
Subject: **Phase 1 HIA Report for the TRUP LASDF**

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1. The Environmental Management Department's Environment & Heritage Management Branch (EHM) is commenting on the Heritage Impact Assessment (HIA). This Phase 1 HIA is a statement of heritage resources, significances and heritage indicators for the Local Spatial Development Framework (LSDF) for the Two Rivers/TRUP study area.
2. EHM acknowledges the substantial amount of effort in the compilation and production of the HIA and is generally supportive of the content.
3. Both the ongoing submissions and processes revolving around the Heritage Western Cape (HWC) IACom Final Comment, dated 13 February 2020 for Erf 151832 The River Club, and the Independent Appeal Tribunal Ruling regarding the Provisional Protection in terms of Section 29(1)(a) of the National Heritage Resources Act (NHRA), dated 14 April 2020, for Erf 151832 The River Club have relevance with regards to the Local Spatial Development Framework (LSDF) for the Two Rivers/TRUP study area and the associated HIA. These are not given consideration in the HIA but are of relevance and the contents thereof important to the identification of heritage resources, their significances and proposed heritage indicators.
4. Of importance to note from the IACom Final Comment of point 3 above is Point 11, which states that, *"On balance it is evident that, based on the heritage resources identified in the baseline study and its supporting documentation, the TRUP is of extremely high heritage significance. The Committee agrees that the overall site is of at least Grade II significance, if not higher, and the IACom recommend that, Under Point 12, Given the strategic importance and high significance of the site, it is a strong recommendation of the Committee, that the Council of HWC gives consideration to the provisional protection of the TRUP area under s29 of the NHRA"*.

5. Identification of Heritage Resources and Significance

In keeping with similar analyses of the Landscape Character Areas (LCA) in the TRUP Baseline Heritage Study (2017), the HIA uses the LCA's as the basis for an area based assessment of heritage resources, their significances and heritage related development informants. These Landscape Character Areas (LCA) accord generally, but not exactly, with the Planning Precinct Areas utilised in the LSDF.

6. The Landscape Character Areas within the HIA are:

- The TRUP site as a whole including the green corridor systems.
- Ndabeni
- Alexandra Institute Precinct
- Maitland Garden Village
- Valkenburg East including Oude Molen
- Valkenburg West including Valkenburg Hospital and Valkenburg Manor
- The South African Astronomical Observatory Hill and buildings

- The River Club and Vaarschedrift
  - The Liesbeeck Parkway Corridor
  - Pinelands station (Figure 10)
7. Section 8 of the HIA identifies heritage resources and their significance at the site-as-a-whole scale and then at the level of individual Landscape Character Areas. Section 9 of the HIA identifies high level heritage indicators for the site as a whole, and then for the individual landscape character areas.
  8. The identification of heritage resources within the study area, as well as how the various Landscape Character Areas have been divided into geographical and physical entities comprising the heritage resources, both tangible and intangible is generally supported by EHM.
  9. As can be read from the Heritage Western Cape (HWC) IACom Final Comment, dated 13 February 2020 for Erf 151832 The River Club, and the Independent Appeal Tribunal Ruling regarding the Provisional Protection in terms of Section 29(1)(a) of the National Heritage Resources Act (NHRA), dated 14 April 2020, for Erf 151832 The River Club, The River Club area comprises high heritage significance and value.

EHM believes that the HIA does not afford sufficient levels of significance to the River Club and Vaarschedrift LCA. Although the HIA cross references the River Club and Vaarschedrift LCA under Section 8, specifically 8.1.5 Statement of significance of the landscape as a whole and 8.1.6 Statement of significance of the riverine systems in terms of the pre-colonial history of the site, further emphasis should be placed on the heritage significance of this LCA.

At the Independent Appeal Tribunal Ruling hearing the First Nations collective, unified on the high levels of significance and values regarding the area, however, voiced differing opinions on what interventions might be appropriate or acceptable to the area.

Although the HIA does not make reference to this specifically, it is important that further dialogue, which includes all First Nations groupings as a collective, be sought in order to be able to add value to and further develop appropriate High Level Heritage Indicators.

10. As per the HIA, "high Level heritage Indicators or heritage related development informants (HRDI) are intended to provide a high level guide to the preparation of the LSDF and future precinct planning from a heritage perspective. They have been informed only by a *high-level* heritage assessment and analysis and must therefore be developed and further refined as detailed heritage studies or Phase 2 HIAs are prepared at a precinct level. It is also important to note that at this stage, only the high level LSDF is to be assessed."

Point 10 above describes the required process correctly in that, heritage indicators should be developed first, which is a result of investigating heritage resources and establishing levels of significance of such heritage resources. Following on from proposing heritage indicators, proposals can therefore be developed in order to align appropriately with the said heritage indicators.

In this instance the proposal, the LSDF, was initiated first and subsequently, through the HIA and lengthy TRUP process, heritage indicators finally established.

EHM is of the opinion that more detail should be placed on the proposed HRDI's at this stage of the process and not "further refined as detailed heritage studies or Phase 2 HIA's at precinct levels. If the current information requires further investigation and input, such should be incorporated into the HIA and LSDF before precinct planning can occur. Such detail might include limits on bulk, footprint limitations, maximum height of built form etc.

11. "Biodiversity areas also represent a symbolic heritage resource where the concept of a pre-colonial landscape is made visible. Consequently, the presence of open wetland remnants may be considered a design informant as a symbolic representative of a time before the land was colonised."

The Biodiversity areas are well documented and are a vital component within the receiving environment both from an environmental and heritage perspective. EHM believes that a more detailed and prescriptive analysis and subsequent design informants should be provided within the First Phase HIA.

12. The proposed "indigenising the Two Rivers landscape and transformation to a commemorative landscape, achieved by using land and space within the landscape, and physicality, to give form, structure and functional expression to the intangible cultural heritage of the Khoi and San" is supported by EHM but, as per point 9 above, it is important that further dialogue, which includes all First Nations groupings as a collective, be sought in order to be able to add value to and further develop the associated High Level Heritage Indicators.
13. Similarly, living memory projects should aim for cohesion and consensus building via further and continued public consultation.
14. "Because of the scenic and historic significances of the site, several view cones and view corridors have been identified which extend beyond the boundaries of the character areas. Development should not impede significant view corridors, view cones and sightlines. Allowing views across and orientation of sites towards the river corridor is encouraged. The heights and densities of building development throughout the site should be sensitive to views across the river corridors *towards* significant heritage sites or *from* heritage sensitive sites. This is particularly the case where orientation and visual prominence of a site contributes to its cultural significance."

As per point 10 above more detail should be placed on the proposed HRDI's for the scenic and historic significances of the site, the several view cones and view corridors at this stage of the process and not "further refined as detailed heritage studies or Phase 2 HIA's at precinct levels. If the current information requires further investigation and input, such should be incorporated into the HIA and LSDF before precinct planning can occur. Such detail might take include limits on bulk, footprint limitations, maximum height of built form etc.

15. The Vaarschedriff and the River Club LCA 8 heritage related development informants state that, "Tangible heritage is limited and re-development opportunities exist, provided the intangible heritage is respected and appropriate provision is made for spatial opportunities for commemoration. Investigate, celebrate and enhance areas of cultural memory in collaboration with relevant parties."

"The exact extent of the remaining, historically significant view cone/s to and from the SAAO and Slangkop Hill should be determined and recognised through appropriate development form."

EHM believes that these significant view cone/s should be determined and placed within the Phase 1 HIA and not only incorporated at a later stage. Significant view cones impact on more than one LCA at a time and the overarching resultant indicator should speak to the parent document, the Phase 1 HIA.

16. Similarly, for the heritage related development informant which states that, "Development should not overwhelm the riverine corridor, the SAAO and Observatory Hill", further detail should be determined and placed within the Phase 1 HIA and not only incorporated at a later stage. Impact is on more than one LCA at a time and the overarching resultant indicator should speak to the parent document, the Phase 1 HIA.
17. "A buffer and setback around the Liesbeeck River should be kept open as a foreground and landscape buffer to the Observatory Hill to ensure that the SAAO retains the context of a hill site."

This point should be substantiated further with detail or limitations describing the extent of such a buffer or setback, as well as detailing on how to retain the context of the SAAO as hill site. This might take the form of setbacks and maximum building heights.

18. "The hill is of exceptional historical and landmark value and is potentially highly sensitive to large scale adjacent developments which may adversely affect the nature of its topographical significance."

Similarly, to point 17 above, this should be substantiated in the Phase 1 HIA with detail or limitations describing limitations to any proposed adjacent developments.

19. Clarity between the Liesbeeck River and the canalised portion should be detailed as well as Views across the River from the Liesbeeck Parkway which should be unobstructed where possible, or allow views through towards the River.
20. Under the Assessment of Two Rivers LSDF the HIA states that, "The Final Two Rivers LSDF (February 2020) is included in full in Annexure F."

The LSDF process has not been completed. The current LSDF pertaining to the First Phase HIA might change through the ongoing process and subsequently effect the content and substance of some of the HIA.

21. The HIA's High level assessment of the LSDF for conformity with HRDI notes that' "conformity with many of even the high level HRDI's in this Report can only be established at more detailed planning levels.

EHM believes that it is essential that relevant HRDI's require sufficient detailing at this stage, such HRDI's would be those where more than one LCA is considered for the same or similar HRDI.

22. The LSDF recognises the landscape as historically layered, from the whole to the part, and the value of this to enhancing the experience of the site. The provision for a network across the site of public places and spaces, in particular, lays the framework for a proposed cultural heritage project designed, in consultation with the I&APs, to give life and local meaning to the proposals contained within the AFMAS supplementary (First Nations) report and other intangible heritage associations across the site. This will allow for the reconstitution of a fragmented landscape to an indigenous commemorative landscape with distributed spaces of engagement spanning different precincts. The proposal is sufficiently open-ended to accommodate any future, more considered and consultative project input from any relevant parties.

EHM is supportive of the initiative for a proposed cultural heritage project which will allow for the reconstitution of a fragmented landscape to an indigenous commemorative landscape with distributed spaces of engagement spanning different precincts. Sufficient consultation and engagement with all interested parties will be essential to such initiatives.

23. In addition, "The protection and restoration of the river corridors, floodplains and wetlands which in terms of this Phase 1 HIA is of outstanding cultural significance since, in terms of living memory, it is a substantial, authentic indigenous landscape memory that has to be celebrated. The proposed restoration of the historical watercourse to the west of the River Club, and re-establishment of the natural river course along its eastern edge are significant in this regard (the former was a proposal arising in response to the consultation process).

This significant statement has merit in the protection of not only the cultural landscape but the specific resource itself, and should filter through to the relative and more detailed planning stages and Phase 2 HIA's.

24. The HIA's High level assessment of the LSDF for conformity with HRDI states under The Liesbeeck River Corridor and River Club that, "Provided the HRDIs are applied at precinct planning level and heritage impact assessments as triggered by the NHRA undertaken, the concept proposals are in general conformity. It is accepted this site is one of the few areas available for re-development."

EHM is of the opinion that more detail should be placed on the proposed HRDI's at this stage of the process and not "further refined as detailed heritage studies or Phase 2 HIA's at precinct levels. If the current information requires further investigation and input, such should be incorporated into the HIA and LSDF before precinct planning can occur. Such detail might include but not be limited to Olimits on bulk, footprint limitations, maximum height of built form etc.

25. The Environmental Management Department's Environment & Heritage Management Branch has previously commented on the draft LSDF document as part of the process of the compilation of a Local Spatial Development Framework as described within Section 12 to 14, read with Section 11 of Part 3 of the City of Cape Town Municipal Planning Bylaw (MPBL), 2015.

In order for the proposed LSDF to align with the new MSDF, 2018 for the City of Cape Town and the principles outlined in the Spatial Planning and Land Use Management Act, 2013, which inter alia addresses spatial justice, spatial restructuring and spatial equity, as well as the TOD Strategy and IPTN, emphasis has been placed on "addressing rapid urbanisation providing housing and employment opportunities that would unlock the development of the site, while enhancing and protecting the river corridors and acknowledging a variety of open space needs. The plan would need to acknowledge and integrate the First People narrative as one of the layers to be institutionalised into the planning process." Further EHM input will continue into this process.

EHM believes that the ongoing and further investigation and analysis into the First Nations significance and related heritage indicators of the area is paramount to establishing relevant heritage significance which should be used to inform the LSDF further.

26. Furthermore, recent recommendations on the Historic Urban Landscape (HUL) by the United Nations Educational, Scientific and Cultural Organisation, UNESCO, define the historic urban landscape as, "The historic urban landscape is the urban area understood as the result of a historic layering of cultural and natural values and attributes, extending beyond the notion of 'historic centre' or 'ensemble' to include the broader urban context and its geographical setting. This wider context includes notably the site's topography, geomorphology, hydrology and natural features, its built environment, both historic and contemporary, its infrastructures above and below ground, its open spaces and gardens, its land use patterns and spatial organisation, perceptions and visual relationships, as well as all other elements of the urban structure. It also includes social and cultural practices and values, economic processes and the intangible dimensions of heritage as related to diversity and identity. Furthermore, UNESCO's recommendation states that, "Urban heritage, including its tangible and intangible components, constitutes key resources in enhancing the liveability of urban areas, and fosters economic development and social cohesion in a changing environment. As the future of humanity hinges on the effective planning and management of resources, conservation has become a strategy to achieve a balance between urban growth and quality of life on a sustainable basis."

The Landscape as Heritage would include the Associative Cultural Landscape and Sense of Place, is a legacy for the whole of society and reveals aspects of our country's origins and developments as well as our evolving relationships with the natural world. The ongoing care and interpretation of this area should improve our quality of life and deepen a sense of place and identity for future generations - a heritage resource which should be valued.

It is within this framework that the LSDF should be considered and as to how the proposed planning will be received in its environment, its perceived positive as well as negative impacts on the HUL and any mitigating measures suggested, specifically, the "revised and re-stated high level statement of heritage resources, significance and heritage indicators."

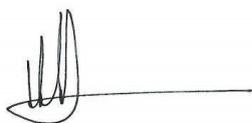
In terms of S31(1) of the National Heritage Resources Act, a planning authority must at the time of revision of a town or regional planning scheme, or the compilation or revision of a spatial plan, or at the initiative of the provincial heritage resources authority where in the opinion of the provincial heritage resources authority the need exists, investigate the need for

the designation of heritage areas to protect any place of environmental or cultural interest. This aspect has not been addressed in the LSDF and requires further clarification and action.

27. Fig 13 CCT Heritage Map should be enlarged so that the legend becomes legible.
28. Page 23 of the HIA under Section 8.1 The Landscape as a whole, various elements are listed but are not clearly mapped or their heritage significance identified, the colonial homesteads, werf walls etc.
29. "The planted cultural landscape of the area including mature tree plantings and avenues of trees". All remnant elements should be clearly identified, mapped spatially, and graded.
30. It is important to grade the significance of areas of contemporary cultural significance as well. In terms of 8.1.4 Thematic analysis of the landscape as a whole, some of the themes included are, natural biodiversity and scenic landscape and recreational use. These elements must be mapped and identified spatially. Hence, use the correct maps, and map them accurately, and feed this information into the LSDF so that it accurately identifies the heritage resources that have been identified.
31. There is a need for consistency between identification and description of the heritage resources, and their spatial representation on the maps, and how these inform the TR LSDF Concept Map.
32. The foreground space for Slangkop Hill (SAAO) must be mapped as a constraint to development both in the Phase 1 HIA map of constraints, and also in the TR LSDF Concept Plan.
33. Page 40 of the HIA under Section 9 High Level Heritage Indicators, the heritage related development indicators/informants (HRDI's) must be appropriately mapped, as they are mostly tangible with identifiable spatial expression.
34. Figure 30 Map of the HIA omits key heritage and ecological resources that have been identified at length in the text and already approved in previous studies. eg we know that the historic course of the Liesbeeck River is a heritage resource (west of the River Club site) and it is omitted from the map. Such omissions must be corrected.

## Conclusion

The mapping of resources and related diagrams in the HIA should generally be improved to clearly show the heritage resources so aptly described in the report.



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