

An aerial photograph of an urban area, likely in Cape Town, South Africa. A red line outlines a specific site area that follows the course of a river and includes surrounding residential and commercial buildings. The river is a prominent feature, winding through the center of the site. The surrounding area is densely packed with buildings and infrastructure.

**PHASE 1 HERITAGE IMPACT ASSESSMENT  
FOR THE SITE 'TWO RIVERS' (formerly TRUP)  
Submitted in terms of section 38(8) of the NHRA  
(HWC Case number: 16071903WD0721M)  
FEBRUARY 2020**

Prepared for Provincial Government of the Western Cape (Transport and Public Works)  
by  
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*Cindy Postlethwayt hereby declares that I have no conflicts of interest related to the work of this report. Specifically, I declare that I have no personal financial interests in the property and/or development being assessed in this report, and that I have no personal or financial connections to the relevant property owners, developers or financiers of the development. I declare that the opinions expressed in this report are my own and a true reflection of my professional expertise.*

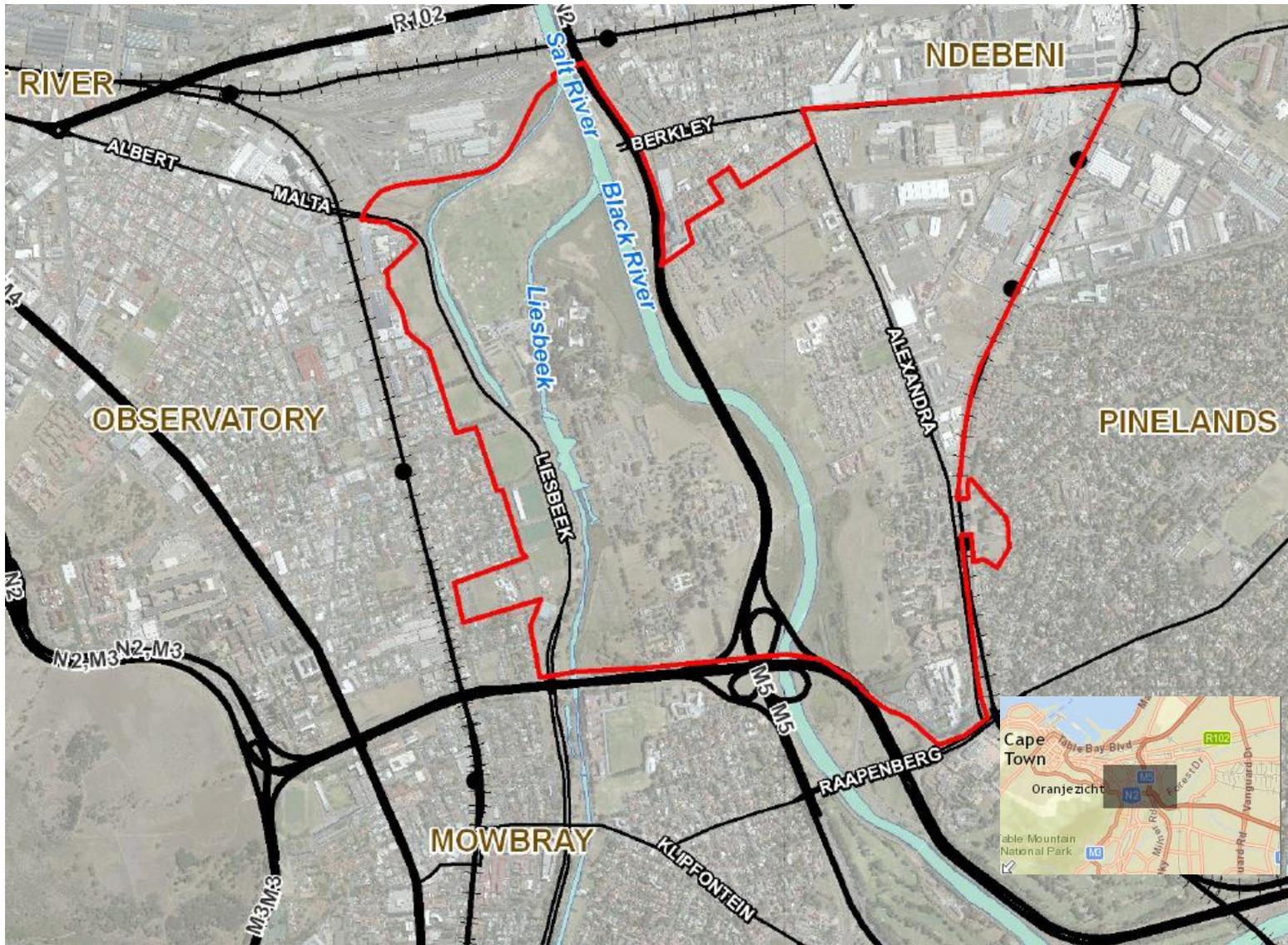


Figure 1: The Study Area

## 1. Introduction

Cindy Postlethwayt has been appointed, through ARG Design, by the Western Cape Department of Transport and Public Works to finalise the Phase 1 Heritage Impact Assessment (HIA) process for the study area 'Two Rivers' (formerly Two Rivers Urban Park -TRUP), in accordance with the requirements of Heritage Western Cape (HWC).

This Report is to be submitted to HWC for Interim Comment in terms of Section 38(8) of the National Heritage Resources Act (NHRA) following a period of public participation.

## 2. Acknowledgements

This report is directly informed by, and should be read with all previous submissions to HWC in respect of this area. These submissions were undertaken by Melanie Attwell & Associates in association with ARCON Heritage and Design; and ACO Associates. They remain relevant and this report is regarded as both supplementary to previous reports, and as a conclusion to this phase of the HIA. Specifically the reports are as follows:

- *TRUP Contextual Framework Review and Preliminary Heritage Study, Phase 1 Report* first submitted November 2015, resubmitted May 2016
- *TRUP Baseline Heritage Study* first submitted October 2016, resubmitted February 2017
- *TRUP Supplementary Report* submitted October 2017 (hereinafter referred to as the *First Supplementary Report*)

In addition, the recent September 2019 2nd Supplementary Report - the TRUP First Nation Report, by AFMAS Solutions, is also an informing document. For ease of reference, and since these reports form part of the whole, they are appended as Annexures A, B, C and D respectively.

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<sup>1</sup> relating not only to this process and planning for the site, but also to the Erf 151832 River Club HIA and associated section 29 processes and appeals

## 3. Background

The process of preparing this Phase 1 HIA has been lengthy and complex, in part as a result of arising on-going requirements of HWC, and in part as a result of a number of simultaneous, related or overlapping, and iterative processes<sup>1</sup> which have resulted in a complicated professional, legislative and public consultation environment. These have been referred to in previous reports, and will not be elaborated upon further. However principal submissions to and discussions with HWC in respect of the heritage assessments for the land in question include, *inter alia*:

- TRUP Contextual Framework Review and Preliminary Heritage Study, Phase 1 Report, first submitted to HWC November 2015, resubmitted May 2016;
- Notification of Intent to Develop (NID), submitted to HWC on 21 July 2016;
- Meeting with HWC held on 17 August 2016, agreement that a phased HIA process is the most appropriate to follow, to be prepared in terms of Section 38(3) and 38(8);
- HWC correspondence dated 25 August 2016, confirming that a phased HIA must be undertaken;
- TRUP Phase 1 Heritage Baseline Study submitted and presented to HWC Impact Assessment Committee (IACom) on 12 April 2017. An extensive process of consultation was undertaken between 2015 and 2017 to engage the public in the TRUP planning process and associated baseline studies, including the Phase 1 Heritage Baseline Study ( see Annexure B for details). This was facilitated by SUN (Sustainable Urban Neighbourhood Development).

An extract from the IACom minutes follows: "Amongst other things, the following was discussed:

- The very competent and informative baseline study was noted and commended, although certain gaps were identified. These were primarily in respect of the following:
  - Lack of discussion of the estuarine system as a whole and particularly in respect of the area to the north of the site and its history.
  - The National Khoisan Legacy Project in particular the understanding that this site may form an important aspect thereof. It is further understood that this site has been identified as part of the National Liberation and Resistance Project of Government. These are aspects that cannot be ignored and must be taken into account when framing heritage related informants for the site.
    - o The living heritage relating to the D’Almeida incident of 1510.
  - The River Club and its history and relationship with the development of Afrikaner nationalism.
  - Organisations present raised concerns regarding the cultural and natural landscape and broader metropolitan significance of the site. The potential loss of open space qualities were of particular concern, as was the impression that fast tracking pockets of development was being promoted.
  - Concern was raised in respect of the origin of certain of the heritage informants that have been tabled; one example is that it is wholly unclear as to how the height related informants for the River Club were derived. It is difficult not to draw conclusion that these are based on a pre-conceived development concept.
  - A further presentation in respect of the wider planning and development framework for the TRUP site was offered to the Committee by NM Associates in order to inform the Committee of the current state of planning for the area. On balance it is evident that based on the heritage resources identified in the baseline study and its supporting documentation, that the TRUP is of extremely high heritage significance. The Committee agrees that the overall site is of at least Grade II heritage significance, if not higher.
- RECOMMENDATION: Based on the significance of the overall site the Committee recommends that the TRUP area is referred to the next meeting of the Inventories, Grading and Interpretation Committee for formal grading. 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 S 29 of the NHRA, and in so doing, providing more effective legal controls than those provided for in S 38(8), and specifically to investigate the desirability and extent of the area to potentially be declared as a Provincial Heritage Site. IACom request additional information;
  - HWC Inventories, Grading and Interpretation Committee (IGIC) meeting of 31 May 2017, consideration given to provisional protection of the site as a whole. IGIC concluded that the further work required by IACom should be completed before provisional protection could be considered.
  - The TRUP Phase 1 Heritage Baseline Study Supplementary Report submitted October 2017, considered at IACom meeting of 8 November 2017. “It was brought to the attention of the Committee that I&AP’s had not been given sight of the supplementary report which was tabled before the Committee and hence, the Committee is unable to discuss the matter”. HWC required all supplementary information to be circulated for public comment. “Any additional comments from I&AP’s and the heritage practitioners’ response thereto, must be included with the resubmission of the supplementary report.”
  - Advice in respect of process discussed at HWC’s IACom 12 June 2019. IACom confirmed that Western Cape Government Department of Transport and Public Works (DTPW) continue

with research-based, non-statutory consultation with First Nations representatives, include any comment or interaction and, if applicable, resultant development indicators in an updated baseline study

Extracts of these minutes and decisions are included in [Annexure E](#) for ease of reference.

Planning process	Heritage Process	Public participation
TRUP Contextual Framework & Environmental Management Plan (2003) CCT	TRUP Heritage Baseline Study (2002) Aikman Associates	-
TRUP Draft LSDF (2017) NM & Associates	TRUP Phase 1 Heritage Baseline Study and First Supplementary Report (2017) Attwell et al	Extensive facilitated by SUN (2015 - 2017)
	Second Supplementary Report (2019) AFMAS	AFMAS consultation with First Nations representatives (June - August 2019)
LSDF (2019) ARG Design	Draft Phase 1 HIA (2019) C Postlethwayt	60 day process to be conducted Oct-Nov 2019

Figure 2: Summary of planning and heritage processes to date

#### 4. Current Submission

This Report is intended to meet the HWC guidelines for a Phase 1 HIA for the site.

Responding to the requirements of HWC's IACom for additional public consultation (8 November 2017), the details of which were confirmed by IACom on 12 June 2019, DTPW appointed AFMAS Solutions, in May 2019, as a social facilitator with a brief to engage with First Nation representatives in respect of the heritage significance of the study area and their issues and concerns in this regard. The outcomes of this

process are described in a Second Supplementary Report attached to this report as [Annexure D](#) and summarised in Section 5 below.

This Phase 1 HIA incorporates the outcomes of the AFMAS engagement and any other relevant updated information into a revised and re-stated high level statement of heritage resources, significance and heritage indicators. This has formed the basis for a high level heritage impact assessment of a revised Local Spatial Development Framework (LSDF) for the study area.

The Draft Report was advertised to all Interested & Affected Parties (I&APs) for a 60 day comment period. This public participation process was undertaken simultaneously with the advertising of the Draft LSDF for comment. Following receipt of the comments and revision of the Draft LSDF and Draft Phase 1 HIA as necessary, **this Report is now submitted to HWC for Interim Comment in terms of section 38(8) of the NHRA.**

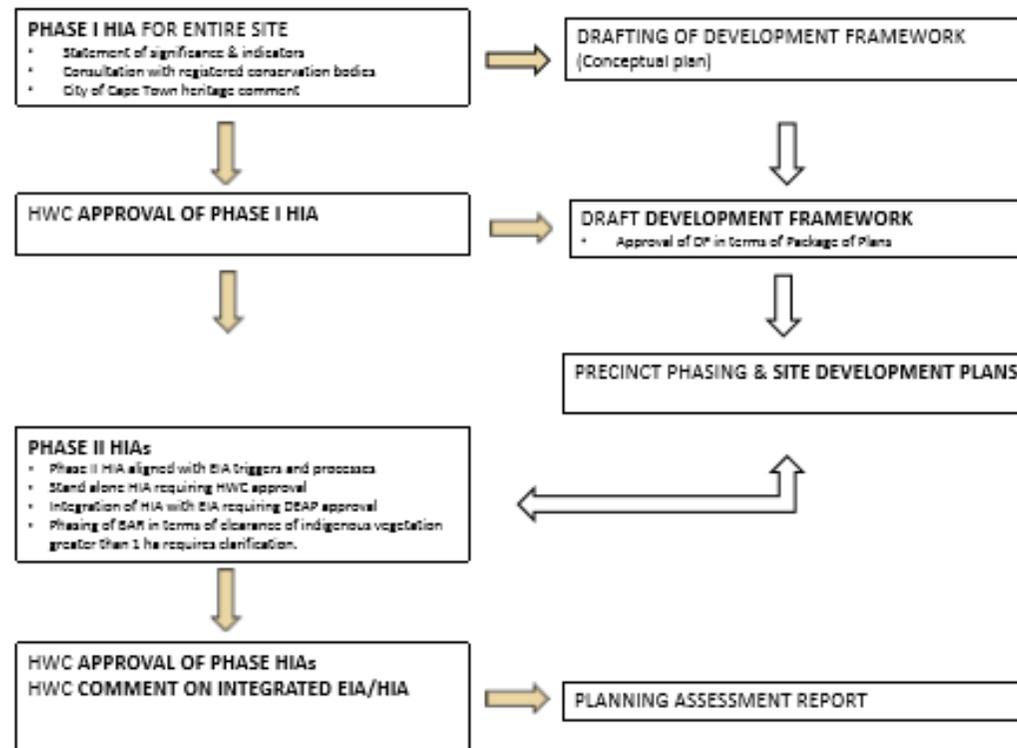


Figure 3. Potential integrated heritage process and planning (Development Framework) (M Attwell & Assoc (2017) TRUP Baseline Heritage Study) – the founding agreement between DEA&DP, DTPW and HWC regarding the HIA process

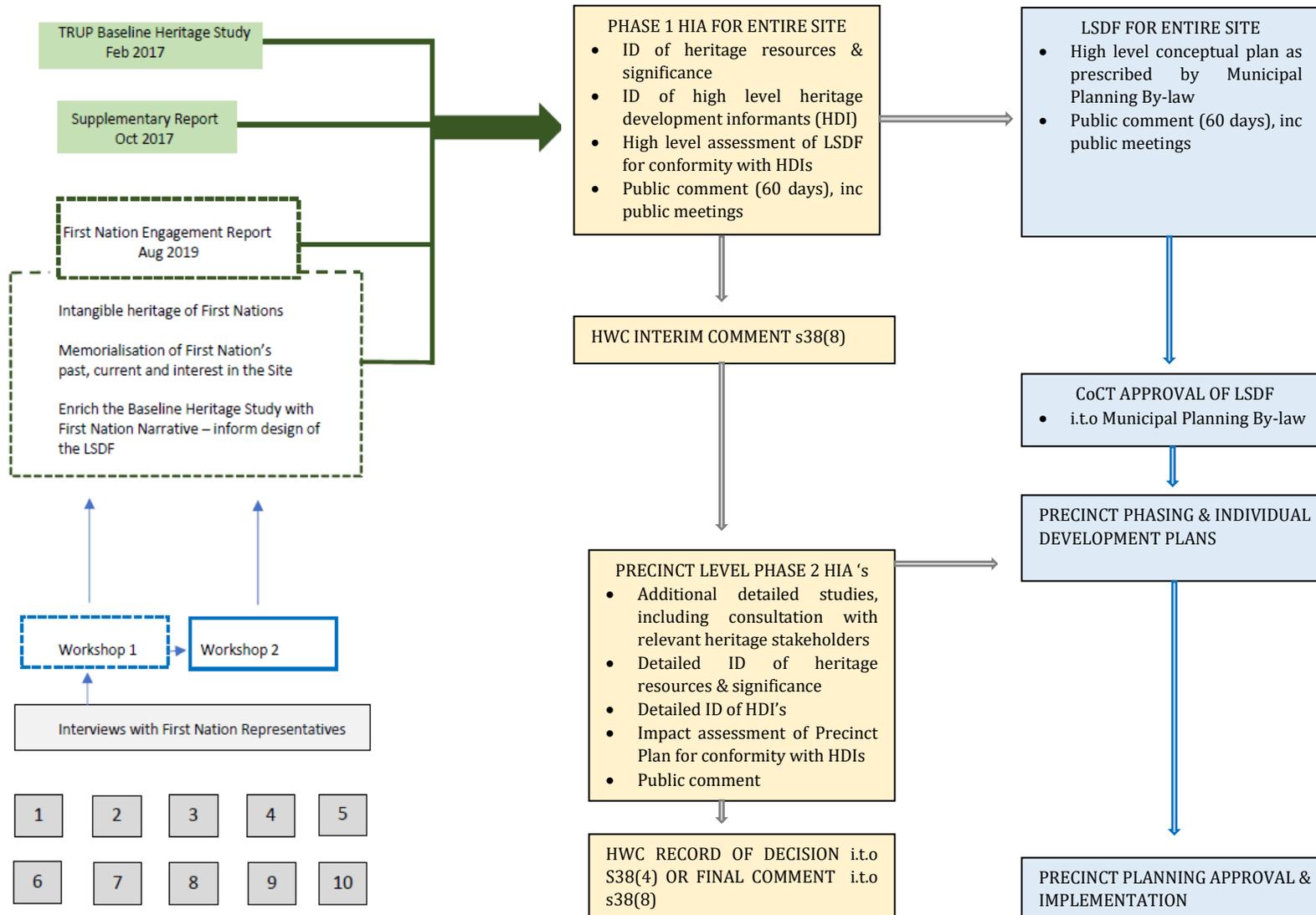


Figure 4: Integrated Planning & Heritage Processes

It remains the intention, as confirmed by HWC in correspondence dated 25 August 2016, that the Phase 1 HIA and the Interim Comments of HWC in this regard will form the basis for heritage guidance of the subsequent planning of individual Precincts within the study area, and the basis upon which the associated individual precinct level Phase 2 HIAs will be prepared.

As has been stated in previous submissions, it is important to note that the area is a very large and complex one, with overlapping kinds of significances, some of which are of high value, others very little. This Phase 1 HIA has undertaken studies appropriate to the macro-scale of the site and been designed to provide an overarching framework and methodology within which more detailed historical and other studies are to be undertaken on a precinct-by-precinct basis. Figure 3 illustrates the interrelated and phased heritage and planning processes currently underway and expected to be followed in future. Figure 4 illustrates the planning process related to the preparation of the LSDF by current lead consultant, ARG Design.

It is to be noted that the boundary of the original study area has been amended slightly by the Planning Team to incorporate an area of Public Open Space to the immediate east of the Pinelands station<sup>2</sup> (Figure 6). This will then need to be assessed for heritage significance and incorporated into the heritage indicators.

<sup>2</sup> On the basis that it includes strategic vacant sites in proximity to Oude Molen which have the potential to fulfil some of the public infill development objectives of the LSDF.

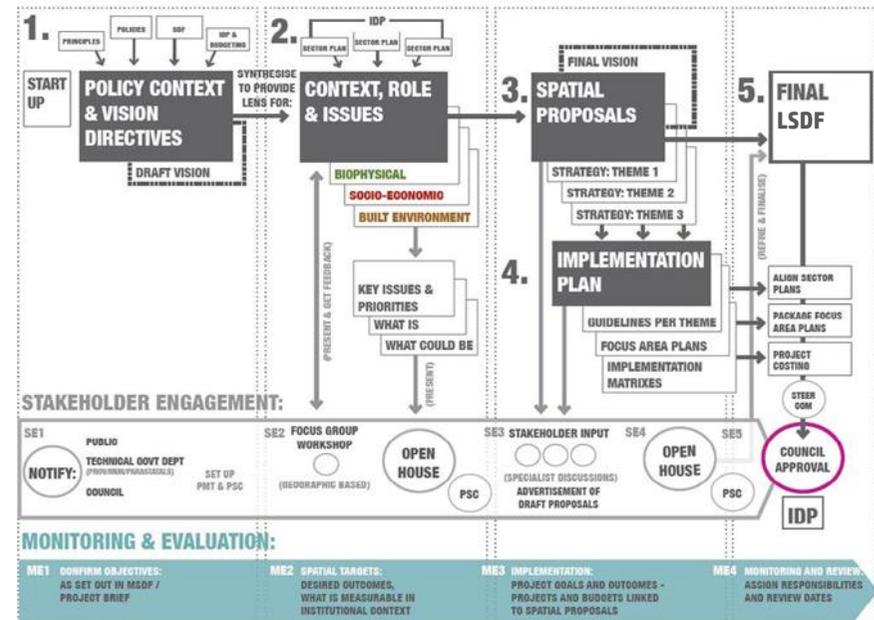


Figure 5: Planning Process (Two Rivers LSDF 2019)

It is also to be noted that the site in question has for some time been known as the Two Rivers Urban Park (TRUP). However, the current planning team are of the opinion that this is misleading: "The Local Area is a space of intense contestation that has over time reflected the values of different residents and historical periods in time. However, it is not one homogenous area and the vision for the local area must celebrate these differences. It is large piece of the City and has an important role to play in spatial restructuring. It is a misnomer to call the entire area an urban park. Although there are parks within the space, it is difficult to shoehorn this diverse space which includes industrial uses and multiple institutions to fit with one single concept of a park. It is possible to

maintain the ecological integrity of the river and wetland system without declaring the entire area a park. The site also has a long history dating back to when the First People utilised this area and their narrative sits uncomfortably next to the later colonial and apartheid history present on the site.”<sup>3</sup>

The study area is more than 300ha in size and comprises some 350 erven of highly varied size, with many large portions. Given the concerns raised by the public in respect of the proposed planning for the site, it is intended that a public process of place naming (either in whole or in part) be undertaken at a later stage and that, for the purposes of planning and the Phase 1 HIA, the site at this interim stage be referred to interchangeably as the study area or ‘Two Rivers’ or ‘TRUP’. Either of them, or another name, may eventually be chosen, through public process, to be the name of the study area. There are no heritage grounds on which to refute this intention and indeed, it may allow those parties who have engaged later in this process to input into the naming if engagement on this specific issue occurs at a later date.



Figure 6: Amendment to original study area boundary highlighted

<sup>3</sup> Two Rivers LSDF Oct 2019: 18

<sup>4</sup> Given the ongoing debate about appropriate terminology to use when referring to the indigenous people of South Africa, representatives of the First



Figure 7: Ownership across the study area

## 5. Second Supplementary (First Nation) Report

The Second Supplementary (First Nation) Report should be read in full as appended in [Annexure D](#). However, key extracts, including figures (often direct) are summarised below (for ease of reading, page numbers are not given).

AFMAS Solutions was appointed to engage the First Nations representatives (the Khoi and San)<sup>4</sup>, interchangeably referred to as indigenous people, with regard to their oral history of the site.

Nations were consulted. It was agreed that South African official parlance will be used, and the First Nations will be considered, and referred to, as the Khoi and San.

### 5.1 *The brief*

- Understand the significance of the site to the First Nations by identifying indigenous intangible cultural heritage specific to the site, through Khoi and San oral history, as articulated by indigenous custodians.
- Identify collective First Nation's aspirations with regard to celebrating First Nation intangible cultural heritage at the site at the broad level.
- Incorporate the indigenous narrative - of First Nation intangible cultural heritage specific to the area - into the spatial governance of the study area, by developing heritage related design informants (HRDIs), informed by the indigenous narrative.

### 5.2 *Methodology*

*Phase One:* Key informant interviews were held with ten Chiefs, Paramount Chiefs, activists and a Supreme High Commissioner of the Goringhaiqua, Goringhaicona, Gorachouqua, Cochoqua and the Korana, in order to identify different strands of First Nation oral history related to the area.

Triangulation was used to determine consistency of content from different informants. These individual strands of oral history were then used to weave an indigenous narrative of the area, which was interrogated and confirmed by a First Nation collective, through two focus group workshop discussions with Khoi and San leaders. The First Nation Collective comprised additional members of the aforementioned Khoi Houses, and leaders and representatives of the Nama, the Hessequa and the Griqua Royal House.

This indigenous narrative, articulated through Khoi and San orature, is supported and undergirded by concatenated historical sources (maps, records, and journals), studies and contemporary investigations. An indigenous knowledge systems approach and narrative analysis were

used to analyse the significance of the site in terms of Khoi and San cosmology.

*Phase Two:* Grounded theory was used to construct the evolution of the TRUP cultural landscape, which was then used to contextualize the indigenous narrative. A case study method was used to mine the plethora of studies on the site and its different precincts, for information related to the First Nations.

*Phase Three:* Precedent studies and analysis were used to inform the development of a spatialising methodology, informed by international conventions on intangible cultural heritage.

### 5.3 *Delineation of the indigenous landscape*

Whilst the official boundaries of the project are as indicated in Figure 1, these boundaries are not contiguous with indigenous understandings of the boundaries of the historic project-area landscape. Rather, the official boundaries are a frame through which to look at the indigenous landscape, which extends beyond the site as a bounded geographical space and all that it contains, and temporally drills deep down to a pre-colonial territory imbued with indigeneity.

Also, the indigenous landscape, is not circumscribed by precinct boundaries - considered by indigenous custodians as value-laden lines that designate formal political and economic divisions between outsider-designated and imposed territorial units, which are viewed by First Nations as zones of contestation between the establishment and the subaltern.

For the purposes of this report, the boundary of the indigenous landscape is defined as a line instantiated by the indigenous collective memory of the footprints of the ancestors:

- Where the official boundaries of the study area provide a frame that demarcates a particular segment of that indigenous

landscape and which can be equated with the tip of a pyramid or ziggurat;

- Where the framing boundary is an "inch wide" and extends a "mile deep" through history - broadening through time - to a historic base cultural landscape, tied to contemporary indigenous identity and actualisation of the First Nations.

The indigenous landscape is thus viewed as a terrace of time - rolling back, and expanding through history, with each successive step down to the next terraced landscape, leading to the indigenous pre-colonial landscape. This is illustrated in Figure 7.

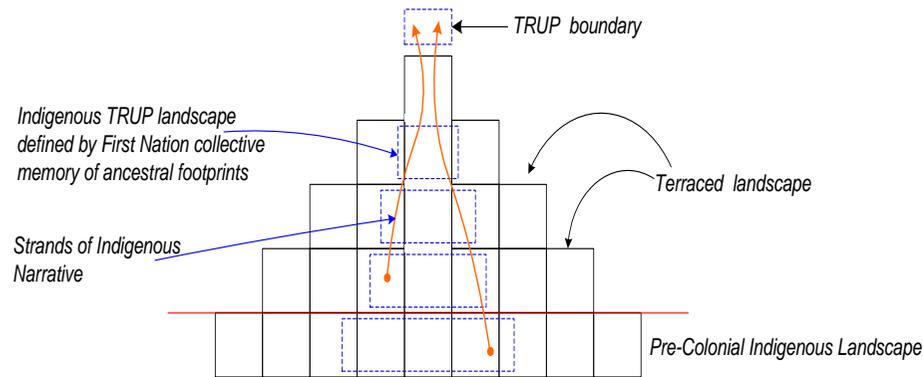


Figure 8: The indigenous landscape as viewed through successive layers of history, historical and current boundaries.

#### 5.4 Evolution of the Cultural Landscape

The evolution of the study area cultural landscape, contextualising the indigenous narrative is illustrated in Figure 8 and summarised as follows:

#### Pre-colonial Period

Before the arrival of colonial powers, the Cape was inhabited by the Khoi and San indigenous peoples who were herders and hunter-gatherers who moved around the territory seasonally in search of game, grazing land and water sources. Vast bodies of historic and contemporary research show that the Cape, the Western Cape, and South and Southern Africa were inhabited by different groups of indigenous peoples.

Three historic encounters during this period involved Portuguese mariners; Bartholomeus Dias (1488) - considered the first European to arrive at the Cape, Vasco da Gama (1497) - who sailed via the Cape to the East, and the colonial Viceroy Francisco D'Almeida (1510) who was defeated and killed at the Cape, by local Khoi who responded to aggression by D'Almeida.

More than 150 years prior to the arrival of Jan van Riebeeck at the Cape, European colonial powers - British, French, Portuguese & Dutch ships - stopped at the Cape, traded and bartered with the indigenous population.

#### Dutch Colonial Period: 1652 - 1795

The period 1652-1795 saw the European presence at the Cape transition from way station to replenish Dutch East India Company (DEIC) ships, to settlement and colony under Dutch control. This changing status affected the nature of the relationship between indigenous peoples on the one hand, and the colonial authorities and settlers, on the other hand, who increasingly usurped land and subjugated the local people. This led to protracted conflict that would lead to the near decimation of the indigenous peoples (Adhikari, M. 2010).

Colonial settlers established political, social and economic dominion over the landscape. The colonial powers also brought with them slavery and institutionalized dominant and subaltern classes at the Cape.

### British Colonial Period: 1795 - 1910

The British occupied the Cape from 1795 to 1803 when it came under Batavian rule, until a second British occupation from 1806 to 1814 when the Cape became a Colony of the British Empire. The Cape would remain a British Colony until 1910.

During this period a series of catalytic events occurred that inexorably changed what was left of the indigenous Cape landscape, and had a genocidal impact on indigenous people. These events were the:

- Cape Frontier (Xhosa) Wars from 1779 to 1879 (100-year war).
- Arrival of British Settlers in 1820.
- Groot Trek between 1835 and 1846 and its implications for the Khoi and San.
- Discovery of diamonds in South Africa in 1867 (Eureka Diamond) and the seismic politico-economic developments that it triggered, with concomitant implications for the indigenous people.
- First Anglo-Boer War (1880-1881).
- Discovery of Gold in 1885, triggering the Gold Rush.
- Second Anglo-Boer War from 1899-1902.

### Race-Based Place-Making, Dispossession and Displacement: 1910 - 2019

The Union of South Africa, constituted in 1910, saw the Cape, Natal, Transvaal and Orange Free State colonies become provinces in the Union. In 1961 South Africa became a Republic and in 1994 the country had its first democratic elections.

Though racial discrimination have deep roots in South African society since the 1700s, following the proclamation of the Union of South Africa a series of racially-based discriminatory and segregationist policies and legislation were introduced by successive governments that culminated in the Malan government of 1948 implementing its Apartheid manifesto that sought to “ensure the survival of the white race.”

Race-based legislation had a profound impact on the indigenous landscape and people.

### **5.5 Voices of the First nations: indigenous narrative of the area**

In order to understand the significance of the area to the First Nations, it's critical to have an understanding of the indigenous world-view.

*"The Koi and the San have the most exquisite symbiotic relationship with the soil, with the river, with the stars, with /Kaggen, who's the mantis. And, when you look at the Liesbeeck River, the flow of that river and the land next to it. When I talk about a symbiotic relationship, I 'm saying that the river is flowing within; it's embodied within the consciousness of the Khoi, and so is the land. You can't separate the two. So, when you separate the Khoi from the land permanently, you separate a part of the body itself. It's disembodied the physical body, the physical manifestation that's imbibed in them. By dislocating the Khoi permanently from the land and from its proximity to the river, you're completely; you're ripping the soul out of them. It was physical, visceral dislocation, because of the understanding, the integral understanding of connectivity."*

In the indigenous narrative the entire study area landscape is the element of memory. However, there's a recognition that much of the original indigenous landscape has been altered by three waves of colonial (Dutch and British) and race-based place-making, dispossession and displacement - acting in tandem with a cross-cutting wave of commercial and capitalist enterprise. Giving rise to the present-day fragmented landscape with remnants of colonial heritage.

Significant elements of the narrative include: (but are not limited to)

- The historical footprint of indigenous people's presence on the site
- Aspects of significance include
  - The epicentre of first and most successful resistance / anti-colonial battle in South Africa (Battle of Goringhaiqua / D' Almeida, 1 March 1510)
  - The first area of official colonial usurping of land
  - The first Khoi-Dutch war
  - The narratives of key figures in indigenous history are tied to the site (Doman, Krotoa, and Autshumato).
  - It is a sacred site of remembrance and heralding the ancestors.
  - It is a place where the !Nau ceremony is performed.
  - There is a symbiotic relationship between indigenous people, "the soil, river and the stars" - separating the people from the land is like ripping out their soul.
  - The environment, the fauna and flora were a significant part of indigenous cosmology and folklore (Eland, black-maned lion, jackal, praying mantis. Also ethnobotany associated with indigenous food, healing (medicine) and ritual practices).
- Indigenous aspirations are linked to the site as one of the last remaining areas where, in particular the undeveloped landscape, whilst much altered, holds the potential to retain, celebrate and enhance the historical associations and indigenous narrative of the site.

It's the collective aspiration and contention of the First Nations, that this remaining - fragmented - landscape, be authenticated as an indigenous commemorative landscape with distributed spaces of engagement and indigenous place-making, spanning different precincts (whilst acknowledging the co-existence of other, non-indigenous layers of heritage).

Indigenising the TRUP landscape and transformation to a commemorative landscape, can be achieved by using land, space and physicality, to give form, structure and functional expression, to the intangible cultural heritage of the Khoi and San. This materialised indigenous landscape would then be activated and enlivened through negotiated and enshrined indigenous cultural practices and heritage activities.

### ***5.6 Spatialising the indigenous narrative***

The AFMAS report seeks to integrate the intangible cultural elements of the indigenous narrative into the spatial planning of the site in a way that makes the indigenous narrative practical for planning, whilst at same time, maintaining its integrity and authenticity as a complex indigenous knowledge system, and acknowledging and respecting both the indigenous narrative and its custodians.

It is suggested that this currently fragmented landscape needs to be reconstituted as an indigenous commemorative landscape with distributed spaces of engagement spanning different precincts.

Indigenising the landscape and transformation to a commemorative landscape, is 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. This entails structuring the narrative into its compositional elements. This deconstruction of the narrative - into its constituent parts - allows for the articulation, ordering and classification of the different elements in terms of the five intangible cultural heritage (ICH) domains prescribed by UNESCO: oral traditions and expressions, performing arts, social practices, rituals and festive events; knowledge and practices concerning nature and the universe, and traditional craftsmanship.

Embodied intangibles allow for the landscape to be activated and enlivened (culturally cultivated) through indigenous cultural practices and heritage activities. For example, both dedicated and shared (public realm) places and spaces, allow for local folklore, stories and manifestations of the intangible indigenous narrative, to be told, retold, and reinterpreted. In this way, making provision for '*voices past, voices present and voices future*' with regard to the indigenous narrative of the site landscape.

Enshrining indigenous people's physical access to this landscape, as field of materialised intangible cultural heritage, facilitates ensoulment and reconstituting of indigenous identity through the First Nations reconnecting their identity with place-based indigenous spirituality and the ancestral domain - '*This is where we go to herald the ancestors.*' Enshrining indigenous access to an embodied, activated and enlivened (culturally cultivated) TRUP landscape, will support the "reproduction of the intangible cultural legacies" of the First Nations.

The indigenous narrative can be structured into the following elements:

1. *Stories of resistance and indigenous folklore.*
2. *Performing Arts*
3. *Social Practices, Rituals and Festive Events*
4. *Knowledge and Practices Concerning Nature and the universe*
5. *Traditional Craftsmanship*

Precedent studies include, *inter alia*:

1. Public art as place-making device for both memorial celebration and facilitating of indigenous and public discourse: Sculpture of an Eland in the Newtown Cultural Precinct which the artist hoped would be "*an emblem that prompts reflection on our relationship to the past and to the interconnectedness of environmental, cultural and spiritual destinies.*"



(Van den Berg, C. <http://www.newtown.co.za/heritage/art>)

2. The Langa Cultural Precinct: Guga S'Thebe Theatre and Arts and Culture Centre; the Old Pass Office Museum and Post Office, and Marikana Park. The precinct promotes local art, culture, design and economic development of the area. The name Guga S'Thebe is derived from the name of a traditional Xhosa platter known as isithebe, around which people traditionally gather to share a meal. It signifies a meeting place of traditional African values. Similarly, the centre and theatre (which can be used for plays, music, dance and film), are public spaces where communities can gather to share stories and experiences.



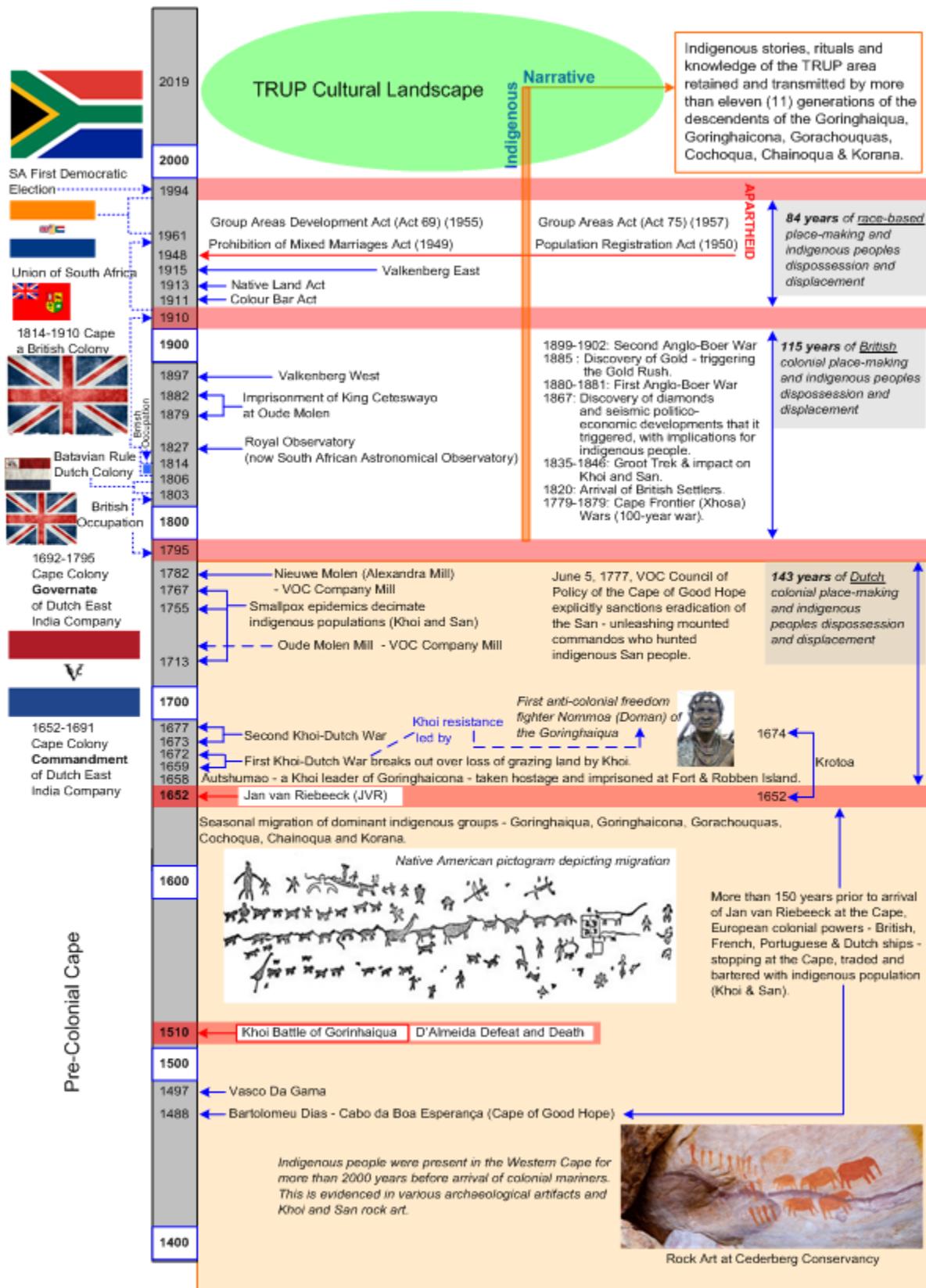


Figure 9: Evolution of the study area cultural landscape, contextualising the indigenous narrative

The aforementioned elements of the indigenous narrative can be ordered into the intangible cultural heritage (ICH) domains as follows:

ICH Domain	TRUP Indigenous Narrative Element
1. Oral Traditions & Expressions	Stories of resistance & indigenous folklore
2. Performing Arts	Rieldans cultural dance
3. Social Practices, Rituals & Festive Events	!Nau ceremony
4. Knowledge & Practices Concerning Nature & the Universe	Indigenous ethno-botany & orature i.t.o. eland, lion and jackal, praying mantis.
5. Traditional Craftsmanship	"Matjieshuis" traditional hut made of reed mats and bent sticks.



The Rieldans (Ian Landsberg in AFMAS Report)

<sup>5</sup> D Lowenthal (1985) "The Past is a Foreign Country"

## 6. Preface to a review of the Two Rivers heritage assessment

*"The past remains integral to us all, individually and collectively. We must concede the ancients their place .... But their place is not simply back there in a separate and foreign country; it is assimilated in ourselves, and resurrected into an ever-changing present."*<sup>5</sup>

*"Intangible heritage consists of the oral traditions, memories, languages, traditional performing arts or rituals, knowledge systems, values and know-how that we want to safeguard and pass on to future generations.... It includes meanings associated with places and objects, making it an essential component of all heritage. Because cultural activity plays an essential part in identity formation, it is essential not to lose our ancient knowledge, especially the traditional and indigenous knowledge that has been marginalised for so long. However, not all intangible heritage is old, rural or indigenous to a particular area or to a specific, ethnically defined community. We need to remember and value diffuse and modern heritage forms like the oral histories of people who suffered under apartheid or other forms of colonialism."*<sup>6</sup>

The historical significance of the site is complex, diverse and multi-layered. It is large and currently has no single, unified identity or function. However, at its deep historic base is a coherent indigenous pre-colonial cultural landscape, tied to the contemporary indigenous identity of the First Nations. Each successive historic 'terrace' of time – provides other, more visible layers to the landscape, obscuring its earlier manifestations.

Given this complexity, the identification and mapping of heritage resources and significance (as required of an HIA by law) can spatialise *something* of what is known about the site and the layers of meanings but it is accepted their meanings are fluid and open to interpretations by many parties. Moreover, at this stage in the process, the focus is on

<sup>6</sup> H Deacon with L Dondolo, M Mrubata & S Prosalendis (2004) The Subtle Power of Intangible Heritage p1

the highest and most abstract level of understanding of the area. Further layers of significance may thus be revealed in later precinct level studies and engagement with stakeholders.

In addition, differing social, economic and political circumstances, beliefs and values define the manner in which people understand, value and construct their past. It is readily acknowledged by this author that there is the potential for bias in the identification of heritage resources and their significance when the narrative is managed or controlled by a few and/or through a pre-determined framework such as an HIA.

It is also accepted by this author that history, heritage and memory are in continual process of making: it is intricate, negotiated, contested, fluid, constructed, reconstructed and re-interpreted.

Thus, whilst the NHRA HIA process imposes certain limitations 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. This will be key to addressing socio-economic justice and cultural justice issues, which underlie some of the key objectives of the overall project as a Public-sector led catalytic project.

It is also noted that the site includes all of:

- pre-colonial (much of which has over time been misrepresented, non-represented and suppressed) and colonial heritage;
- tangible and intangible heritage; and
- practices of living memory of relevance to the First Nation resurgence movement. The politics of South Africa's past have made it necessary for later generations to reconstruct their collective identity, and in so doing, see parts of the site as a living canvas.

These underlying historical and cultural diversities make it difficult to represent all heritage resources and issues spatially – the tangible

aspects of heritage are easier to define. This limitation is therefore identified and underlines the importance of integrating the intangible into later design and development planning.

These challenges should be viewed positively and as an opportunity to enrich the area in the further planning of the individual precincts.

## 7. Updates

### 7.1 *Update: Landscape Character Areas*

For ease of heritage based analysis and assessment the Two Rivers site has been divided into a number of areas (called Landscape Character Areas in preceding reports) each of which have a reasonably coherent, visible historical character or historical associations. However, it should be noted that these are loose distinctions as the heritage issues and heritage related development informants in many instances cross precinct boundaries, particularly in respect of the pre-colonial and early colonial heritage. It is accepted that these areas are viewed by First Nations as value-laden lines that designate formal political and economic divisions between outsider-designated and imposed territorial units. However, they are practical for planning and assessment purposes; do have some commonality and are divided by features such as roads and railway lines; and will be utilised for illustrative purposes; *on the understanding* that analysis and assessment begins with the whole, before moving to the parts, and that the whole should always be kept in view.

It has been noted that the LSDF study area has been expanded to include an area of public land to the immediate east of Pinelands Station. It is therefore necessary to include this area into the analysis of heritage resources and significance. The Pinelands Precinct as defined in the LSDF includes the Pinelands railway station forecourt, parking on the Pinelands side of the station and the two parks along Broad Walk and Kings Palace Roads.

In keeping with similar analyses of the Landscape Character Areas in the TRUP Baseline Heritage Study (2017), an historical background of the area is included for the record in Annexure E and this forms the basis for an area based assessment of heritage resources, their significance, and heritage related development informants to follow in this Report. The updated Landscape Character Areas (Figure 11) are:

1. The TRUP site as a whole including the green corridor systems.
2. Ndabeni
3. Alexandra Institute Precinct
4. Maitland Garden Village
5. Valkenburg East including Oude Molen
6. Valkenburg West including Valkenburg Hospital and Valkenburg Manor
7. The South African Astronomical Observatory Hill and buildings
8. The River Club and Vaarschedrift
9. The Liesbeek Parkway Corridor
10. *Pinelands station* (Figure 10)

It is to be noted that the Landscape Character Areas (LCA) identified in Figure 11 accord generally, but not exactly, with the Planning Precinct Areas utilised in the LSDF, the latter having been framed on the basis of planning considerations (Figure 12). However, as analysis in the preceding heritage studies were developed on the basis of the Landscape Character Areas, these are retained for the purposes of the HIA and any implications addressed in the impact assessment section of this report. These differences however are minor and not considered to derogate from the findings of this report, nor from the application of heritage informants to the planning precinct level studies.



Figure 10: Pinelands Station Landscape Character Area in context

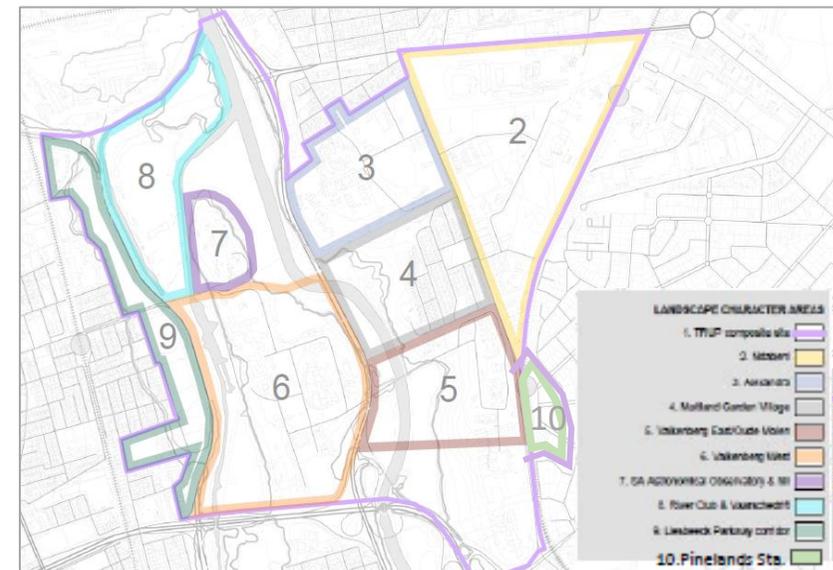


Figure 11: Landscape Character Areas (Attwell & Arcon 2017, as amended by this author)

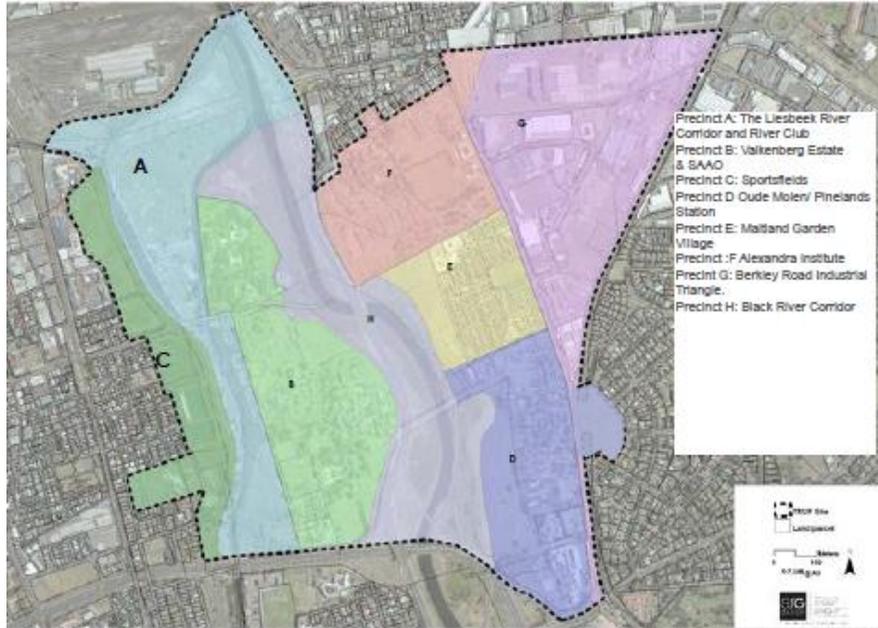


Figure 12: Structuring of the LSDF into 8 planning precincts

**7.2 Update: Heritage Audit**

The City of Cape Town’s (CCT) heritage audit maps have been made available subsequent to the 2016 – 2017 Phase 1 HIA reports and are included here for the sake of completeness.

A number of points are noted in this regard:

- Portions of the *formally declared* Heritage Protection Overlay Zones (HPOZ) of Observatory and Pinelands encompass parts of the study area;
- With the exception of the Ndabeni triangle, the remainder of the study area has been identified as a *proposed* HPOZ
- Unless a site has been formally declared in terms of the NHRA (as either a Grade I (National significance) or Grade II (Provincial significance) site), the CCT does not yet have the NHRA/HWC

assigned legal competency to grade a site as Grade I or II. Thus, the highest significance that can be accorded to a site in the current audit that has not been through a formal grading assessment with the heritage authorities is IIIA.

- The gradings in a heritage audit are not immutable and alternatives can be proposed in a process governed by the requirements of the NHRA, such as an HIA. Thus, for example, should HWC determine that some or all of the study area is worthy of provincial heritage significance, that decision will take precedence over the CCT audit.

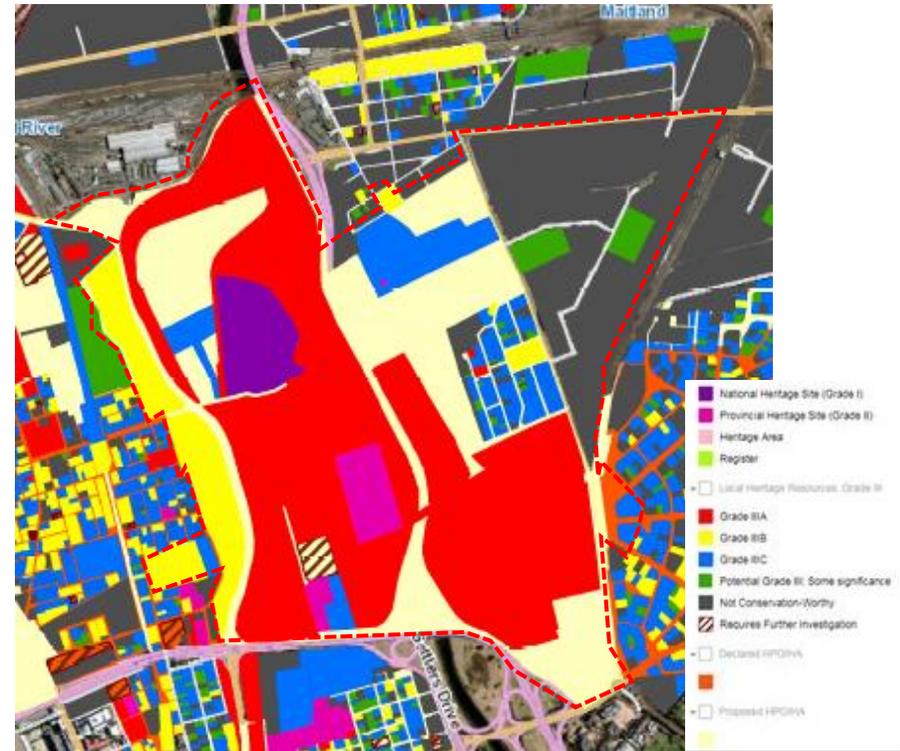


Figure 13: CCT Heritage Audit (CCT Map Viewer), site outlined

### 7.3 *Update: Other heritage processes*

A number of separate planning and heritage processes have occurred on individual land parcels in the study area, most recently the SKA Tender, the South African Astronomical Observatory HIA and the River Club HIA, the latter with associated legal challenges relating to the HWC provisional proclamation of the River Club site in terms of Section 29 of the NHRA. All these processes have also entailed public participation. However, it must be stressed that these are independent of the process currently underway for the overall planning and heritage assessment of the Two Rivers site.

## 8. Revised Identification of Heritage Resources & Significance

The site is an area of high cultural and visual significance. It includes a multiplicity of associations and sites of heritage value. It is thus not possible to provide definitive or singular gradings to an area as large, differentiated and historically layered as this, except in the broadest of terms.

In many respects, the intangible heritage factors could be regarded as being of at least Grade II significance, probably of the highest order. However, it is not possible to provide definitive boundaries to such a designation – it is clear that the pre-colonial indigenous landscape of significance to the First Nation is not contiguous with the study area, nor circumscribed by precinct or character area boundaries. Moreover, nested within the larger site are many other individual heritage resources (tangible *and* intangible), some of which are declared, others of which have very little intrinsic significance. Certain areas and elements have no meaningful or remaining heritage significance.

Given the difficulty of a single significance rating, or even precinct wide ratings (tantamount to a one-note concept in an orchestra of significances), and given that any such assignation could have significant management implications, it is suggested this would be more

appropriately explored further in the precinct level, Phase 2 HIAs, led by the broad statements of significance provided in this Phase 1 Report.

Figures 23 – 28 on pages 34 to 39 summarise the spatial implications of much of the information that follows

### 8.1 *The Landscape as whole*

The chronology of development of this landscape is defined by the pre-colonial period; the early and later colonial period; and the current exercises in transformation which occur within the imperatives of the post-colonial period.

#### 8.1.1 *Cultural/historical significance and the impact of topography on the landscape as a whole*

The following specifically refers to the impact of the topography and its relationship with the pre-colonial and early colonial history.

The area as a landscape is highly significant from a heritage perspective, comprising a unique series of memories, sites and structures of significance. Because of its strategic position in relation to the river systems and the historic pastoral routes to the north and south, it has a significant role in pre-colonial history in terms of the history of transhumance and the indigenous residents of the Cape and their struggles to retain access to the land. As a result, it plays a very important role in the cultural identity of the First Nation and their resurgent living heritage.

The area is recognised by stakeholders for the wealth and value and information it contains about past histories and narratives extending back to precolonial times. The cultural heritage and natural landscapes of the area are closely linked with the cultural landscape that has evolved from the constraints and opportunities presented by the

topography and the riverine systems.<sup>7</sup> The use of the site has produced overlapping patterns of use and significance including the following:

- The use of the site for summer grazing by transhumant pastoralists during the pre-colonial period. Indigenous notions of land ownership and custody; an indigenous worldview and concomitant concepts, beliefs and practices; indigenous identity, values and principles; and indigenous spirituality and the ancestral domain defined the relationship of the inhabitants with the land.
- The early colonial period introduced the placement of barriers and the development of frontiers by the Dutch East India Company (VOC) to limit access by indigenous inhabitants to fertile land and water systems. The exact places where incidents and confrontations occurred have not been established conclusively, but what is evident is that the historic landscape between the Black and Liesbeek River marks one of the remaining, most tangible and earliest historical frontiers that was to eventually herald the destruction of the Khoi and San Nations.
- The sites of the granting of the first lands under individual tenure; and the introduction of private property ownership and use in the early Dutch Colonial Period. The area has high historical significance as the site of the first Khoi-Dutch war for the valley (1659 – 1660) as a consequence of this dispossession.
- Early industrial use and the development of windmills to support agriculture in the area. These include the Oude Molen, and the Nieuwe Molen, the latter still remains.

- The presence of early colonial homesteads and werfs which faced the Liesbeek River and used the riverine system for the purposes of irrigation using channels, weirs and dams.
- The planted cultural landscape of the area including mature tree plantings and avenues of trees.
- The memories, traditions and cultural events that are to be associated with the landscape.
- The topography of the site contributing to a sense of place.

All the above responses to landscape are retained either in memory or spatial relationships and add a series of cumulative values and significances to the site.

#### *8.1.2 Cultural/Ecological significance of the landscape as a whole*

The area is an area of high social, ecological and visual significance. It is a multi-layered and complex series of overlays of sites and associations of value. It includes such values as ancestral use, ancestral memory, historical significance, institutional and scientific significance, significance as a green space containing valuable vegetation, a historic place of barriers. It also includes contemporary significances such as a socially valued, recreational landscape within a riverine setting and significance as a landscape presenting a significant opportunity for the redress of past barriers and inequalities.

#### *8.1.3 Living heritage and cultural significance*

A highly important aspect of the significance of the area is contained in the concept of “living heritage”

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<sup>7</sup> Baumann N, In Regeneration: TRU-PARK/ Valkenburg Revitalization Project 2013.

The area includes or represents both tangible and intangible heritage values which are rooted in the past histories of the site and the wider surrounding environment; and which affect its contemporary significance.

Identification of intangible heritage aspects is very important to the identification of cultural significances which could be both directly associational and re-imagined. Cultural significance relating to intangible and living heritage should be considered within the context of a range of historical themes and events as well as the cultural significance of the site as a whole.

Some aspects of intangible aspects of heritage as identified are relevant not only within the current site boundaries, but to a deeper, wider pre-colonial landscape pertaining to indigenous use. The varied aspects of intangible heritage are identified further below.

#### *8.1.4 Thematic analysis of the landscape as a whole*

From a symbolism and historical perspective, the landscape is thematically complex and multi-layered, with remnants and symbolism of the historical past as well as contemporary significance for many who value and identify with them. The following themes are or were present on the site:

- Presence of the First Nation history, pastoralism and seasonal movement. The First Frontier: symbolic and historical significance; “ancient and tragic”
- Connection (early crossing points, footpaths, later historical wagon trails and connections between parts of the site)
- Barriers, conflict and exclusion from ancestral lands
- Defence and contestation (Frontier conflict, redoubts, forts & outposts)
- Production (windmills, farming, homesteads, cattle grazing)

- Institutional use
- Exclusion and containment. Social and racial differentiation, segregation and exclusion (Frontier ‘barriers’; racially defined boundaries (e.g. Maitland Garden Village, Ndabeni Forced Removals); imprisonment of Chief Langibalele (Ndabeni); imprisonment of Zulu King Ceteswayo (Valkenberg East/Oude Molen); mental health (F-shaped wards Oude Molen, Porter Reformatory, Valkenberg and Alexander Hospital, past and present uses)
- Innovations in scientific endeavour (SAAO)
- Innovations in health care (Valkenberg)
- Natural biodiversity and scenic landscape
- Industry
- Recreational use

The Liesbeek River and wetlands, and perhaps to a lesser extent, the Black River, are the continuous historic fix onto which the trajectory of development of the entire area is predicated.

#### *8.1.5 Statement of significance of the landscape as a whole*

The area is thus an outstanding example of a historically evolved landscape extending from pre-colonial to colonial to post-colonial times, where the links to the riverine landscape have played a significant and multivalent role in its use.

- The area is of cultural significance in terms of its pre-colonial and colonial periods of history.
- The rarity value of a wetland system within an urban environment, together with the presence of rare plant life contributes to the cultural significance of the river corridors. The dominance of the river corridors as defining elements is re-enforced by the orientation of sites towards the Black and

Liesbeek Rivers and the historical use of topography and sightlines. Canalized portions of the river detract from the visual significance of the historic riverine system.

*8.1.6 Statement of significance of the riverine systems in terms of the pre-colonial history of the site.*

- The fact that this extraordinary site, so significant to the First Nation history and identity, still exists, with so much open space intact, is to be celebrated. The partial remnant of a relatively pristine and unbuilt riverine landscape serves to reinforce the notions of what the landscape represented to those who were excluded. The entire area is also of symbolic value to the First Nation as a visible example of historical exclusion and loss of rights, division and apartheid.
- The riverine system may be considered to have heritage significance in light of the role it played in the history of the area, and considering the landscape and the nature of transhumant pastoralism. This includes the value of the river system to transhumance, the wars against the indigenous people, the erection of barriers on the high ground, the fording of rivers, the introduction of agricultural settlements along the edge of the river system and finally, the development of tracks and transport routes and the development of bridges and weirs to cross and the rivers and control water flow.
- The rivers and the intervening hills have come to represent a landscape of memory for the First Nation
- The Liesbeek River is of outstanding (provincial or national) significance in that it represented the first barrier and process of forced exclusion for the First Nation and the beginnings of the loss of rights. The need to reclaim at least symbolically and in terms of living heritage is therefore high

- The Black River is less significant but nevertheless an important local component of the history of the area.
- The crossing at Vaarschedrift as being of outstanding cultural value in the First Nation's history of pastoralism. "Places where rivers are coming together, are special places. Those rivers are connected with people and memory. Water holds memory. So, wherever rivers are coming together, at that point is a ceremonial place. So, the Two Rivers, at that point, is one of them, because of the rivers coming together there. So that space holds a huge memory."

"When it comes to the equinox in March and September, there is a phenomenon that happens. The sun sets on Lion's Head. ...you can only see it from that point from the Two Rivers. Only from there. We had a ceremony then. ... around the equinoxes, you find that the sun sets on the head of the lion. So on those days, in March and September, something is happening in the cosmology of the Khoi and their worldview."

"There's also a !Nau [ceremony] when some of the leaders are taken through a process when they are given their positioning within the tribe - given their title...'gamdanab.' 'Danab', is the head and 'gam' means lion in the Khoi language. Danas also means head. So 'gamdanab' or 'danas,' would be lion's head. [When the leader is given their position in the tribe, they're given the title, lion's head.] This is when the lion [metaphorically the tribe] is crowned. The lion is crowned when the sun sets on Lion's head."

"The lion is of great significance in Khoi mythology and folklore. Just think about it. These people lived their code systems with lions. Specifically, the black-mane lion."

"I feel we should speak to the memory of lions being here. How a mountain was given a name like lion's head because of the lion's presence and all the lions that used to be here. And also, how that space with the sun sitting on the head with the equinoxes...I call that the crowning or some coronation of the lion. So that space at the Two Rivers, where you can see that happening in March and September, those are huge days of ceremonies that should be held in that space, because you can't see that in any other place. Only from there." (AFMAS Report)

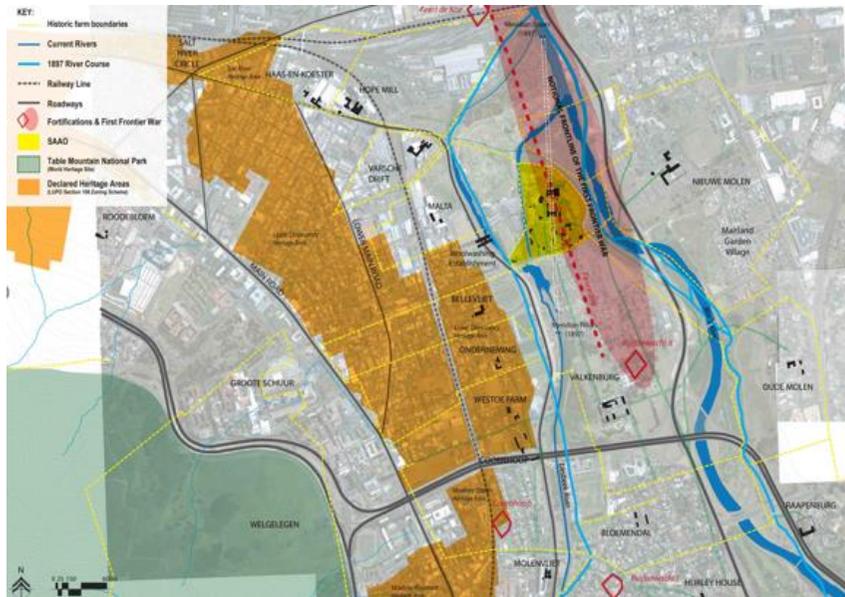


Figure 14: View of the Observatory looking West over the Black river, with Lions Head in the background. (Source: Chris de Coning: 2006).<sup>8</sup>

<sup>8</sup>[http://assa.saao.ac.za/sections/history/observatories/saao\\_obs/saao\\_gall terrain/](http://assa.saao.ac.za/sections/history/observatories/saao_obs/saao_gall terrain/)

- The site represents in contemporary, post-colonial terms, a nexus around which issues of culture and identity, ceremony and cultural practice may be celebrated.
- Whilst the whole site is of significance in First Nation memory, the northern edge of the area in particular could be accorded high *intangible* heritage value in terms of precolonial movement patterns and patterns of settlement as a cattle route from the north is likely to have crossed the river system at the point of where the Black and (original) Liesbeek River became the Salt River. This may (subject to changes in the riverine spaces) have been in the vicinity of Vaarschedrift area and the railway bridge. This means that this area to the north and within the northern area of the site is of outstanding heritage significance.

Figure 15 on page 24 below: Map showing potential sites of redoubts and areas of contestation, and early structures along the Liesbeek. (Source Baumann Winter Abrahamse Attwell 2012).



*“The exact places where incidents and confrontations occurred can never be known, but what is evident is that the historic landscape contained within the land between the Black and Liesbeek River marks one of the most tangible and earliest historical frontiers that were to eventually herald the fragmentation of the Khoikhoi (sic) nation.*

*The history of this landscape is ancient and tragic. Not only does it mark “the beginning of the end” of Khoikhoi (sic) culture but it also symbolises the processes and patterns whereby the indigenous inhabitants of Africa, the new World, Asia and Australia-New Zealand, succumbed to the tidal wave of colonial globalisation. Although there are no tangible remnants of actual places of conflict, forts or outposts or graves, the topography and “place” survive albeit greatly transformed by more recent layers of development. The valley of the Liesbeek, Black Rivers, the confluence and remnants of the Salt River estuary exist today. In the context of South Africa, this is an historical place.” (ACO 2015)*

## 8.2 Ndabeni (LCA 2)

Ndabeni is a flat industrial area with an absence of visual heritage landmarks and heritage conservation worthy buildings.

It is however of historical and associational significance in terms of the history of segregation in Cape Town, as the area to which people were first removed after the 1901 Bubonic Plague epidemic. Black residents (people of varied backgrounds, deemed by the authorities as alternately “Native” or “African”) were forcibly moved from central Cape Town and District 6 to hastily built basic accommodation in Ndabeni. It should be noted that this current precinct is just a small portion of the affected historical (1901) Ndabeni site and many were accommodated east of the triangle.

Ndabeni and Pinelands were part of the Uitvlugt pine plantation planted by prisoners from Robben Island in the 1870’s. Ndabeni also has associational and historical significance because of a link to Chief Langalibalele who as a prisoner was tasked with the planting of pine trees on the Uitvlugt (Pinelands) location.

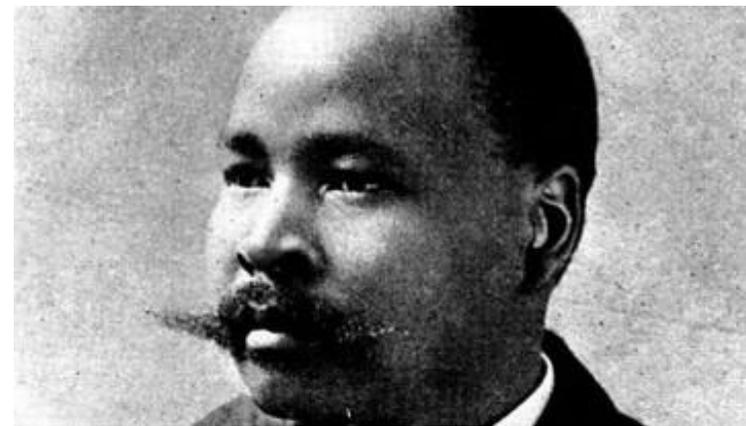


Figure 16: Chief John Langalibalele Dube (www.w24.co.za)

### 8.3 *Alexandra Institute (LCA 3)*

This area comprises a largely hidden series of historic institutional buildings, many of high architectural quality set within a flat and open landscape. A central open field surrounded by palms is a major structuring element. The impact of the institutional buildings is reinforced by an open foreground space.

Impact of the nodal clustering of the heritage institutional building cluster has been degraded by *ad hoc* placement of later additional groups.



Figure 17: The Nieuwe Molen declared a PHS in 1978.

The site, formerly a werf, also contains the eighteenth-century Nieuwe Molen, which is a PHS. The Mill is a significant built structure symbolising agriculture and early industry of the region; and, with Mostert's Mill, one of only two remaining windmills in Cape Town. At a result of later institutional development to the south and south east, the Alexandra Mill is largely hidden from view. The Alexandra Mill has channelled views up from the river concourse which gives a distinctive quality to the ridgeline on which the Mill is situated.

The Alexandra Institute Precinct is of historical and scientific cultural significance as containing the eighteenth-century Nieuwe Molen. It is also of architectural significance as containing a fine grouping of Cape Revival Institutional buildings and related open spaces. It is of historical (archaeological) significance as being the site of a large farm opstal and Boer War encampment (both demolished). It is of socio-historical significance as an institution for the mentally ill and those generally excluded by conventional society. As part of the greater Two Rivers landscape it is also of significance as part of the matrix of the First Nations' intangible heritage footprint

### 8.4 *Maitland Garden Village (LCA 4)*

Maitland Garden Village is one of the earliest Garden City inspired designs in Cape Town and as such has some historic significance. It consists of a formally designed self-contained, residential precinct centred around a public open space along 'Garden City' lines. Community facilities are placed to the north and west. Its position has scenic value as it is situated on the crest of the Black River hill and has views across to Devil's Peak.

The buildings have a consistency in terms of scale, grain and design. It has retained a considerable degree of authenticity and coherence. It has

social significance as a 'coloured' area from its inception, eventually a Coloured Group Area.

The entire site has been graded as a IIIB i.e. a settlement of considerable local heritage significance, although individual elements would need to be graded independently and do not all have the same level of intrinsic significance.



Figure 18: Buildings older than 60 years Maitland Garden Village.

### **8.5. Valkenburg East: Oude Molen complex and grounds incorporating the F-shaped Wards (LCA 5)**

The Black River slopes rise to a linear pattern of buildings of heritage value set with green and vegetated slopes. The Oude Molen Complex is a focal point for the site. It consists of a series of related buildings including the Miller's House, or homestead, which is a very early historic

structure. The F-shaped wards are a linear series of structures of heritage value spaced along an access route.

Visual spatial qualities are significant both in the foreground spaces, and significantly in the sloping rural landscape leading to the Oude Molen site which provides it with much of its contextual and aesthetic significance.

The site is of outstanding heritage significance for the following reasons: It is of associational, cultural and social significance as it is associated First Nation who have historical links with it and currently use parts of the site for ceremonial and gathering purposes. The site is a significant one from an historical/archaeological perspective as it contains the site of the old VOC mill. It is of historical significance because it contains the remnants of an early historic werf (early eighteenth century). It is of historical significance as the place of banishment and imprisonment, for the Zulu king, King Ceteswayo. The F-shaped wards are of historical significance as an example of segregated medical treatment and apartheid. It is of contemporary cultural and social significance and is of value to the community as a community space, an open space ecological centre. As with other precincts, the matrix of intangible heritage footprint that extends over the entire Two Rivers landscape is recognized. Social significance that explores the wards as a site of conscience related to past practices of designating mental illness are of importance

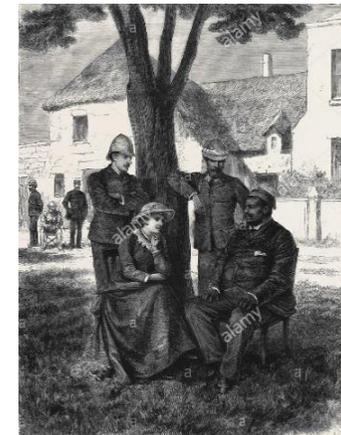


Figure 19: Interview between King Ceteswayo and Lady Florence Dixie outside Oude Molen (www.alamy.com)



Figure 20: Graded buildings older than 60 years The F-shaped wards Valkenburg East.

### ***8.6. Valkenburg West including Valkenburg Hospital, Valkenburg Manor, and surrounding landscapes (LCA 6)***

Valkenburg West is a large and prominent site, which, along with the site upon which the SAAO is situated, forms the ridgeline of the First Frontier and all associated significances (see LCA1). It is significant landmark site, set between the Black and Liesbeek Rivers: a complex and multi layered cultural landscape comprising intangible and tangible heritage.

The tangible heritage is contained within two core heritage sites: Valkenburg Hospital, set within a combination of later institutional buildings, supplementary buildings and a treed landscape; and Valkenburg Manor House, werf and surrounds.

Valkenburg Hospital is set on the crest of the Valkenburg Hill and maintains a dominant presence in the landscape - a presence that is reinforced by the architectural qualities of the buildings. The Valkenburg Hospital wards, courtyards and supplementary buildings to the east are declared as a PHS, while other significant buildings not within the core administrative precinct are graded as conservation worthy.



Figure 21: revitalisation of the historic core of Valkenburg Hospital ([www.thenewspaper.co.za](http://www.thenewspaper.co.za))

Valkenburg Hospital is of outstanding historical architectural and scientific significance, although much of this history is one of pain. It was a purpose-designed medical institution set within wooded grounds. The site has been used for public institutional purposes since 1881. It has a long association with psychiatric care and was a progressive model of late nineteenth century asylum design. It was intended to be a “place

apart” from the town, a characteristic which foreshadowed later racially based notions of segregation which were strongly associated with the area for many years.

Set on a prominent and visually exposed promontory, it has significant landmark qualities which contribute unique cultural landscape qualities. While there are series of buildings of significance within the extended institutional landscape, the core administration area is of particular significance. It has an east west axis and is of primary significance in terms of spatial, historical architectural social and aesthetic value.

In terms of context, the hospital’s position on an elevated promontory between two river systems occupied by two major historical institutions – the Astronomical Observatory and the Valkenburg Hospital make it part of a highly significant landscape which follows the topography and riverine qualities of the area.

The Valkenburg Manor house, werf and surrounds includes the Valkenburg homestead, its riverine setting, graveyard and supplementary buildings. It is set at the edge of the wetlands, with unobstructed views towards Devil’s Peak. This gives the building a strong landscape context lending additional significance and stature to the werf. It is of significance for historical, architectural and aesthetic reasons. Valkenburg Manor and werf is of high historical significance as one of the last remaining and best preserved werfs along the Liesbeek River. It is a historically layered site having first been used for nomadic pastoralism, followed by agriculture and the construction of the werf, later extended to form the first Valkenburg hospital and later the Porter Reformatory. As with other precincts, the matrix of intangible heritage footprint that extends over the entire Two Rivers landscape is recognized

### ***8.7 The South African Astronomical Observatory (LCA 7)***

This area is significantly defined by the presence of Slangkop Hill. It is possible that the 17<sup>th</sup> century stockade and palisades ran from Coornhoop along the Valkenburg Hill to the Slangkop Hill, overlooking the Vaarschedrift crossing. It may be therefore that this area was part of the first series of colonial barriers and exclusion which characterized the history of the contact period with the First Nation and is therefore of very high significance in terms of its association with pre- and early colonial indigenous history.

The South African Astronomical Observatory (SAAO) campus is situated on this landmark hill which historically had views of Table Bay and Signal Hill (it currently still has views towards Signal Hill where a repeater station was erected to relay time settings from the Observatory to ships in the harbour). It now comprises a campus of heritage buildings and spaces associated with the early nineteenth century establishment of the Royal Observatory. They not only have historical architectural and landscape significance but are also situated as rising out of a wetland area which contributes to the cultural landscape qualities of the site.

The institutional buildings are reached through a series of meandering roadways circling the hill. The Royal Observatory building which stands at the summit of the hill is a PHS.

This Observatory complex is of outstanding cultural and scientific significance and has contributed in international terms to the science of astronomy. It is an outstanding example of a layered heritage landscape, comprising buildings of architectural significance and activities of scientific significance set within a treed campus. The campus is of international scientific significance and has been the subject of a UNESCO World Heritage Site report. The entire site (the Observatory

Hill, open spaces, landscape features and buildings) has been declared a Grade 1 site.



Figure 22: The Royal Observatory at the Cape of Good Hope by IS Glass ([www.saa.ac.za](http://www.saa.ac.za))

### **8.8. Vaarschedrift and the River Club (LCA 8)**

Vaarschedrift area at the Liesbeeck River at the northern end of the River Club area is a possible site where historically a crossing point for transhumant pastoralists entering the Peninsula was located. The area is of very high symbolic and associational significance and should be investigated for archaeological potential.

The riverine landscape and topography is of visual and cultural significance and provides a narrative for the historical use of the site.

A recreational centre and a potential gateway to the remainder of the study area and related landscape, the River Club is situated on flat low lying areas west of the Black River. It is adjacent to Slangkop Hill which contains the South African Astronomical Observatory (SAAO).

While the River Club complex is a landmark and situated within a landmark site the Club building itself is not of outstanding heritage significance. The River Club site however does not exist in isolation within the study area

The River Club site currently provides a landmark green space and locale of high heritage significance in terms of First Nation narratives within the general area at a significant access point to the broader site. Although transformed and essentially fill, it is significant as an open space (albeit private, not public) and is valued by the local communities as such. It contains significant views to and from the site towards the mountain (Devil's Peak and Lion's Head).

At the base of Slangkop Hill to the east and north-east is the Raapenberg Bird Sanctuary which, apart from its intrinsic ecological value, enhances the nature and appearance of a riverine estuary where the two River combine.

The cultural significances within the site are varied, with areas of outstanding heritage significance including at the historical river confluence, extending to the Raapenberg wetlands and base of the Slangkop Hill. The heritage significance of the River Club site may also be considered as being to provide a buffer zone and foreground space for the Slangkop Hill.

### **8.9 The Liesbeek Parkway Corridor (LCA 9)**

This area has a strongly linear character area defined by the Liesbeek River and Liesbeek Parkway. It presents significant views towards the site and riverine wetlands particularly towards Valkenburg Manor, Valkenburg Hospital and the River Club. There is a significant view corridor linking the Raapenberg wetlands to Signal Hill

The area abuts the Observatory Heritage Protection Overlay Zone (HPOZ) which is characterized by predominantly single story small scale domestic buildings interspersed with recreation open space, particularly towards the roadway.

It is crossed by the historically significant Observatory (or Station) Road which was the historical access route to the Royal Observatory and now transverses the whole site but is blocked at present by barriers to Valkenburg. The Hartleyvale stadium situated at the corner of Liesbeek Parkway and Station Road (not the contemporary hockey stadium next door) is a landmark and is of social significance as the site of early multi-racial cricket and soccer. However, the structure itself is not conservation-worthy and may be structurally unsound.

There are several potential archaeological and historical sites within the area as historically agricultural establishments were situated at the edge of the wetland areas. They include Coornhoop and Vaarschedrift Westoe, Bellevliet and Onderneming. All but Vaarschedrift are buried within the high density tight grained historic suburban environments of Observatory and Mowbray.

The site is of historical significance as it contains sites and a complex matrix of routes (used by indigenous people and later by settlers) of historical significance. They include the farmsteads of Westoe Bellevliet and Bellevliet. The site is also of social significance as they low lying

areas were used for recreational purposes. This use remains and forms a significant component of the social and community use of the site.

### **8.10 Pinelands Station (LCA 10)**

The Pinelands Station precinct is included in the Pinelands HPOZ. The public open spaces and road (and pedestrian) alignments were significant elements of the original Garden City layout, linking the station as a destination and the community heart, Pinelands Central Square. The parks are graded IIIC, contextual significance in the CCT heritage audit.

### **8.11 Mapping Heritage Resources**

The difficulty of mapping heritage resources (as required in terms of the NHRA) in such a large, historically layered area has been noted. Even the formally declared sites (Grades I and II) are historically layered and include a hierarchy of significances. The nature of intangible heritage significance in particular is such that it is also difficult to give form to in spatial terms. The report by AFMAS Solutions ([Annexure D](#) to this report) provides some useful precedent for how this has been achieved at other sites locally and internationally.

The maps that follow identify a variety of tangible heritage resources where they can be expressed at this high level assessment, and certain intangible heritage resources have been indicated conceptually. *However, they must be read with the preceding text in order to understand the relationship to heritage that is less easily expressed spatially.*



Figure 23: Pre-colonial indigenous landscape (conceptually indicated green outer circle) and early colonial intangible heritage (the frontier, conceptually indicated red arrow) and some (albeit not the only) commemorative/living memory opportunities

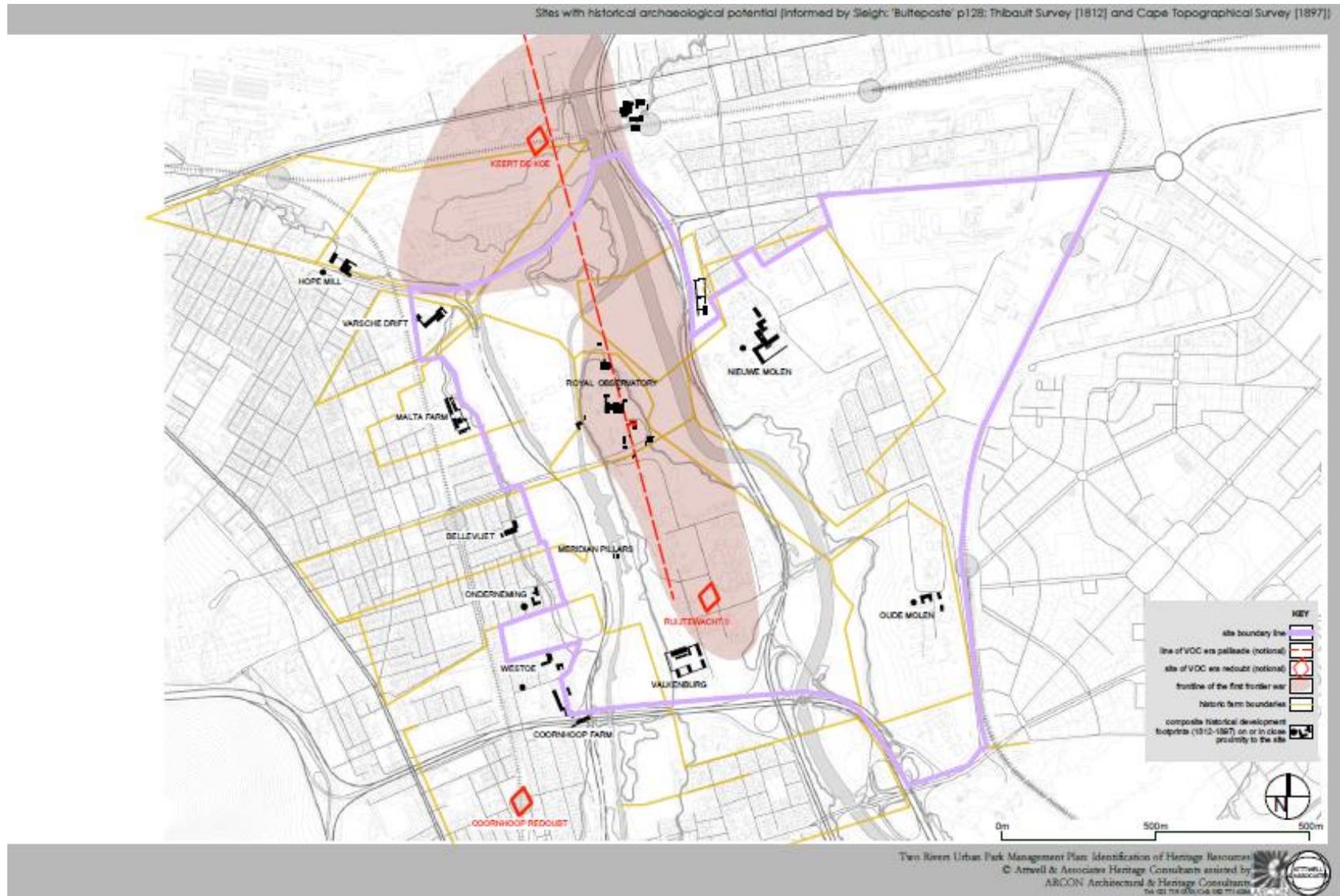


Figure 24: Pre-colonial and colonial archaeological potential. Note that this identifies archaeological sites that are known to be of potential archaeological interest at the time of writing

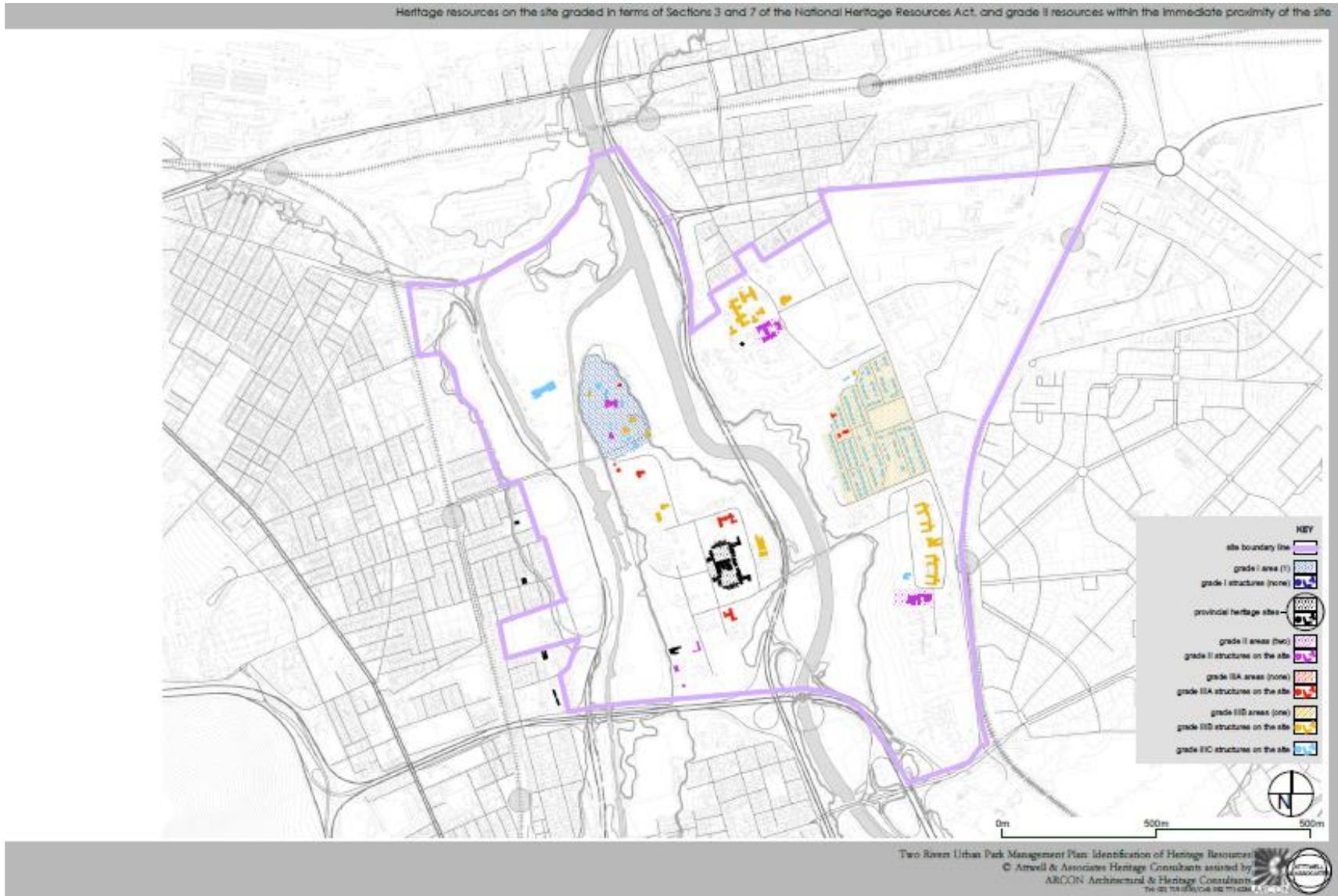


Figure 25: Provincial heritage sites and graded resources



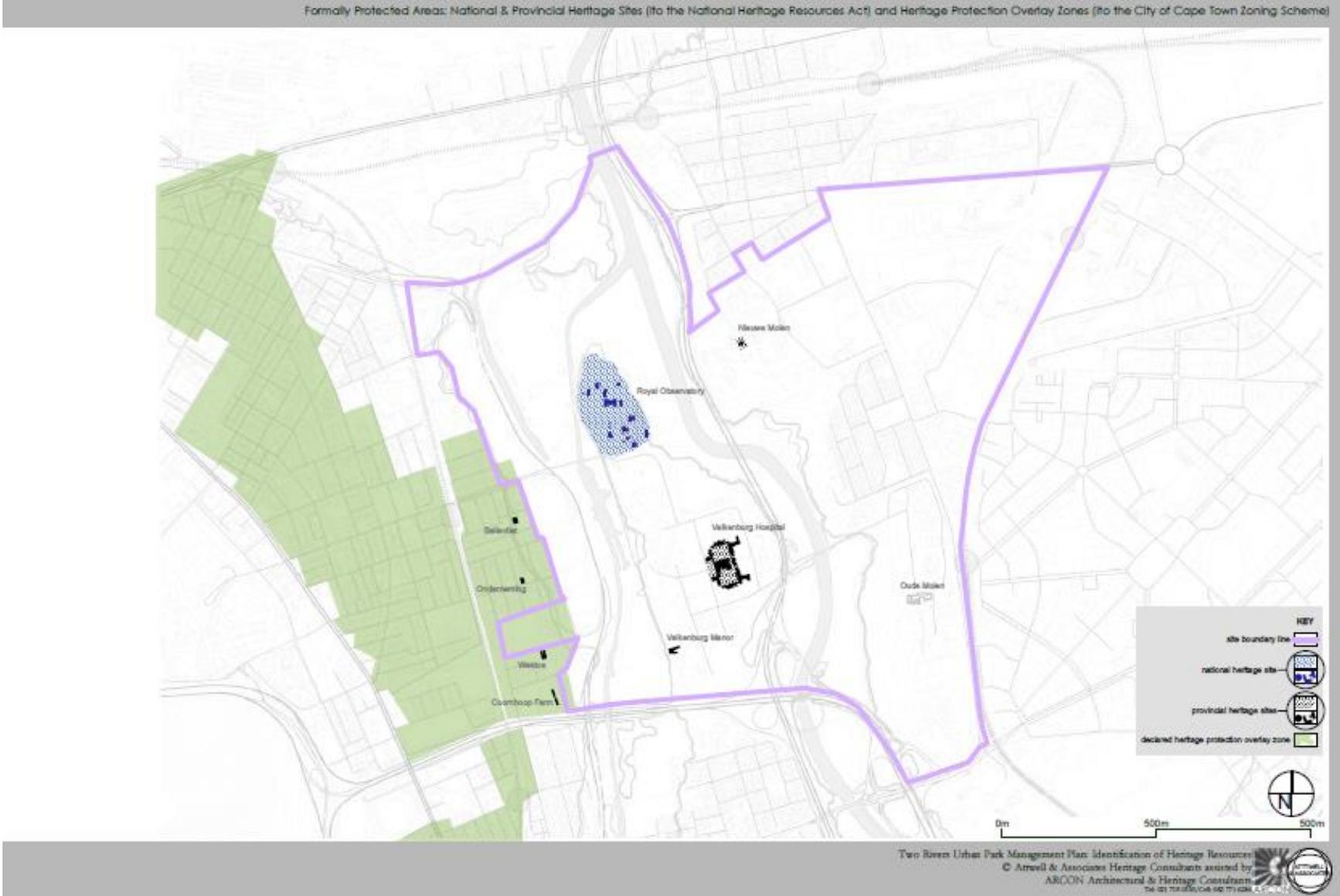


Figure 27: Formal protections as at 2019



## 9. High Level Heritage Indicators

The following heritage related development informants<sup>9</sup> (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.

The general purpose of the HRDI's are to:

- Protect heritage resources, tangible and intangible and ensure development responds appropriately and positively to heritage assets.
- Enhance a sense of place and uniqueness of character by the creative reference to heritage issues, sites and their contexts.
- Acknowledge the history of displacement and segregation within the study area and to seek mechanisms for memorialisation and redress.
- Ensure appropriate adaptive re-use for historic structures and sites.

### 9.1 Site as a whole

*Sites associated with living memory and early history:*

The Two Rivers site is of outstanding cultural significance in terms of living memory. The fact that this site holds the two rivers as they draw near and reach their confluence, still remaining within an urban context, is a substantial, authentic indigenous landscape memory that has to be celebrated.

Whilst relevant across and beyond the site, the following areas are already identified sites of living memory and associational value:

- The river confluence (currently at the northern-most border of the site but which is likely to have been continuously changing and may have been further north historically)
- Valkenberg
- The Oude Molen area
- The ridge line between the Black and Liesbeek Rivers
- The Ndabeni area (only part of which is included in the study area).
- Other sites may be added in due course as precinct level heritage work proceeds

These sites present, together, opportunities for a range of living memory cultural activities, symbolic memorialisation and commemoration. They must be considered across the site as a whole and range from boards and markers explaining the historical significance of a site or event, to spaces allocated for cultural villages and ritual, to the use of the green and riverine landscape to illustrate an open riverine landscape and how it was used. It is crucial that all affected communities are integral to any project and design decisions in this regard. This is most appropriately conducted at a precinct planning or project level and little more will be suggested. Any projects that are carried out to spatialise or represent this history must be done with due consideration of the past practices of the representation of public histories and heritage in urban spaces in South Africa, and best practice for this particular project must be established.

The provision of a network of public spaces, landscapes and cultural spaces could most appropriately provide the opportunity to link the intangible and tangible heritage related to the site, and would be

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<sup>9</sup> 'informants' is often used interchangeably with 'indicators'

sufficiently open-ended to accommodate any future, more considered and consultative project input from any relevant parties. Literature dealing with the complexity of tangible and intangible heritage frequently posits that cultural spaces (in its broadest sense) are the nexus where the tangible and intangible take meaningful form.

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.

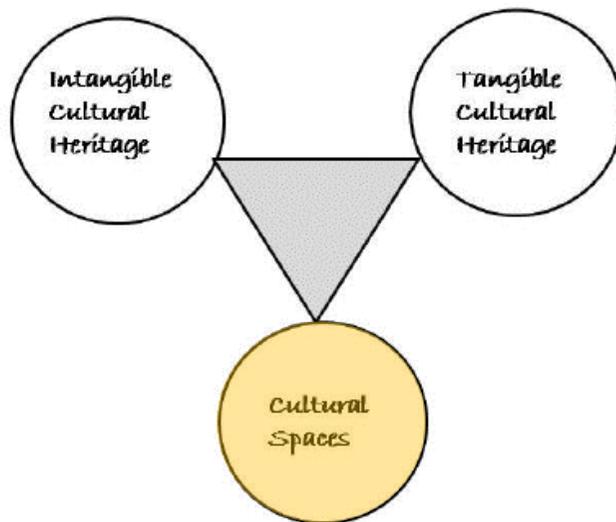


Figure 29: Cultural spaces as the nexus where the tangible and intangible take meaningful form (Source: D Thenchery2018)

In the indigenous narrative the entire landscape is the element of memory. However, there's a recognition that much of the original indigenous landscape have been altered by three waves of colonial (Dutch and British) and race-based place-making, dispossession and displacement - acting in tandem with a cross-cutting wave of commercial and capitalist enterprise. Giving rise to the present-day fragmented landscape with remnants of colonial heritage. It's this fragmented landscape that needs to be reconstituted as an indigenous commemorative landscape with distributed spaces of engagement spanning different precincts.

Indigenising the Two Rivers landscape and transformation to a commemorative landscape, can be 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.

Embodying the intangible can be expressed through a variety of cultural spaces and places. The indigenous narrative can be structured into the following elements:

1. *Oral Traditions and Expressions: Stories of resistance and indigenous folklore.* Key events and figures in the historical narrative that need to be memorialised include:
  - The Battle of Gorinhaiqua where the indigenous Khoi defeated the Portuguese Viceroy, D'Almeida on 1 March 1510.
  - The study area as the epicentre of the dispossession of land that kick-started centuries-long processes of indigenous dispossession and displacement
  - The area as site of resistance to colonialism where indigenous heroes and heroines like Doman, Autshumato and Krotoa - whose narratives are inextricably linked to the area - are commemorated.

Land can be used to tell the events of resistance with a beginning, a middle and an end laid out along a path that visitors can follow - with landscape as backdrop to the story. The landscape can be punctuated with a combination of (a) solid memorial public art/sculpture (providing physicality to the intangible) in public space and (b) memorial with *accessible internal* space. Engagement and generating dialogue must be fostered throughout.

This can be augmented with a heritage centre - inspired by indigenous architecture - that displays, reveals and interprets the pre-colonial indigenous landscape and its evolution through the three waves of colonial and race-based dispossession and displacement. The heritage centre could also be a place for engaging the different dimensions of indigenous culture and heritage, including demonstrations of indigenous languages, Khoi and San herbal and traditional food preparations, tastings and cures; photographic exhibitions, and film screenings.

2. *Performing Arts:* Providing place and space for the Rieldans and other indigenous cultural performances. An open-air amphitheatre - inspired by the layout and configuration of a traditional Khoi kraal - can be established as a place for public and indigenous cultural performances (dance, music, theatre)
3. *Social Practices, Rituals and Festive Events:* Providing place and space for the !Nau ceremony and other ritual practices. A ceremonial and ritual circuit around the TRUP landscape can be developed where identified spaces imbued with indigeneity and ritual significance can be demarcated for the practice of indigenous ceremonies and rituals such as the !Nau.
4. *Knowledge and Practices Concerning Nature and the universe:* Indigenous knowledge and practices concerning nature and the

universe can be given tangible manifestation and expression through the provision of dedicated land and spaces that can be used for indigenous allotment gardens for the growing of indigenous food and medicinal plants used by the Khoi and the San. These indigenous allotment gardens would be curated by individuals and practitioners of the Khoi and San community who will be using the plants for personal consumption, healing purposes, ceremonial and ritual use, and community supply.

The indigenous allotment gardens could form part of a larger Two Rivers Bio-Cultural Diversity Initiative - incorporating indigenous vegetation and knowledge programmes

Public sculptures or life-sized bronze castings of wildlife (eland, lion, jackal, praying mantis) that are part of the Khoi and San cosmology and folklore, and historically used to be part of the indigenous landscape, would constitute the embodiment of intangible heritage. Their locations throughout the different precincts would be places where indigenous folklore and stories could be told, retold, and reinterpreted over time. The presence of sculptures or bronze castings of historic indigenous wildlife interspersed amongst other TRUP places and spaces would add missing elements to the historic landscape. Facilitating dialogue and reflection, and enhancing visitor experience of the site through combining indigenous narratives, art works and conservation.

5. *Traditional Craftsmanship:* Providing place and space for the "Matjieshuis." Traditional arts and crafts of the Khoi and San can be preserved, developed and promoted through the establishment of an Indigenous Arts and Crafts Training Centre and Gallery on the site. This will not only ensure the transmission

and preservation of indigenous crafting skills and know-how, such as making reed mats and "matjieshuise", it could also serve as a vehicle for economic empowerment of the indigenous youth.

The centre would comprise a gallery with flexible exhibition and display areas including moveable walls, studios for artists and craftsmen, arts and crafts shop (including e-commerce), and artist residency programmes. Activities at the centre would include training and workshops in different Khoi and San arts and crafts, outreach programmes, organizing art and craft fairs and festivals, art tours and artist talks. Including accepting private, public and corporate indigenous art commissions.

The centre could be managed by an Indigenous Arts and Crafts Cooperative who will also be responsible for promoting indigenous art and craft production, referrals and networking, advocacy and lobbying, marketing and promotion, storing and publicizing artworks produced by community members; fomenting new talent, and training young professionals to work in the sector. And resourcing and supporting indigenous Khoi and San artists throughout South Africa.

The celebration of other aspects of intangible cultural significance of the area should be included and might, for example, involve the following:

- Respect and protection of the wetland areas, not only for their ecological value but their heritage landscape value.
- The recognition on the one hand of the Liesbeek River as being of outstanding significance in terms of the history of South Africa; and on the other, recognition of the Black River as being of strong local significance.
- Recognition of the crossing at Vaarschedrift as being of outstanding cultural value in the precolonial history of pastoralism.

- Exploration of a detailed set of mechanisms at a site and precinct level to memorialise, narrate and celebrate the history of marginalised and excluded groups. These could include, as examples but not a definitive list:

- A storyboard commemorating the narrative of Chief Langibalele a Chief imprisoned at Robben Island and who was involved for years with the planting of trees at the Government Location at Uitvlugt.
- An explanatory plaque on the Ndabeni site, explaining the fact that it was part of the first segregated "location" and served as a model for future segregated living environments.
- A celebration of the crossing point at the confluence of the two rivers.
- A cultural centre detailing, in much the way the way the District Six Museum has done, the history of exclusion and forced removals.
- A narrative plaque to the washerwomen of the Liesbeek on or near the Liesbeek River in an area that was traditionally used for washing.
- A plaque or storyboard commemorating the narrative of the imprisonment of King Ceteswayo at Oude Molen.

It should be noted that such 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.

Living memory projects should aim for cohesion and consensus building via public consultation.

Living memory projects cannot assume that knowledge and sites are fixed and immutable. Rather they need to focus on the dynamic nature of change.

Accordingly, significant nodal points and precincts, associated landscape features, contexts, and responses to topography should be protected and enhanced. The sense of place arising from a unique historical character should be protected and enhanced as contributing to the landscape qualities of the area.

The strong linear nature of the River corridor system has resulted in the areas where crossings occur becoming gateways to the site. Because of the limited nature of such river “gateways”, access to the site is currently low. It does however mean that the historic gateways increase in visual, symbolic and functional sensitivity. Gateways should be noted and responded to in a sensitive manner.

*Historic building, institutional groups and townscapes:*

The project area abuts both tight grained (Observatory to the west) and low density suburban areas (Pinelands to the east). Its role as a place of barriers and exclusions has resulted in low connectivity in adjacent areas; and there are few linkages between areas extending east-west. Access is limited to routes along Alexandra Road to the east and Station Road and Liesbeek Parkway to the west. Improved access across the site will assist in notionally undermining the historical barriers and exclusions.

There are landmarks which give character to the site. They are associated with ridgelines and profiles. Development of adjacent ridgelines will need to be controlled to protect the landmark character presented by these sites.

The area has a rich concentration of historic buildings, sites and precincts of significance based on its historic roles and early colonial settlement and activity. Such buildings and ensembles should be conserved and their landscape contexts protected and enhanced.

The more highly graded and distinctive buildings and the PHS's are identified as follows together with broad conservation actions:

- Grade Two buildings and Precincts (not PHS's). To be conserved and enhanced and contexts retained as far as possible.
- Provincial Heritage sites. Formally protected, required by law to be protected; and contexts maintained to protect and enhance their cultural significance.
- Grade 3A and 3B buildings and sites. Not to be demolished, to be protected and enhanced along with their immediate settings. Carefully considered interventions and adaptive re-use possible.
- Grade 3C and ungraded buildings older 60 years. May be motivation for demolition and with heritage authority endorsement if required.
- The sensitivity of historic river crossings especially those regarded as “gateways” i.e. The Liesbeek River crossing from Station Road Observatory, should be carefully responded to in terms of its gateway role in the context of the river corridor. Interventions should ensure that the gateway quality is protected and enhanced.

*Views, sightlines and orientation:*

Historically, views and sightlines extended across the river corridors towards the mountain. Historic settlement and institutions were orientated towards the river corridors for reasons of either functionality or visual prominence. This has resulted in a varied and (in parts) scenic landscape composed of shallow hills, wetlands and river corridors where the development of institutional, recreational and residential

patterns together with remnant agricultural settlements, has created a strong sense of place.

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. These extend towards and from highly significant heritage landmarks including, *inter alia*, the following:

- Valkenburg Manor towards Devils' Peak and towards the Valkenburg *werf* from the N2
- Valkenburg Hospital towards the Liesbeek River Valley and Devil's Peak.
- The SAAO environs across the River Club towards Lion's Head and Signal Hill (the sightline to Table Bay has been lost).
- The view cones extending towards the Nieuwe Molen (partly obscured but visible from specific areas including Berkley Road and the River Club Golf Course).

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.

#### *Archaeological sites:*

Potential historical archaeological sites based on documentary evidence have been identified. However, future archaeological significance relating to pre-colonial history for which there is no documentary

evidence yet is still a possibility and will only be revealed during archaeological excavation and site clearance.

Development on sites identified as being of archaeological significance will need potential further archaeological investigation and input in terms of S 35 of the NHRA.

#### *The River Corridors:*

- Retention and recreation where possible of soft river edges and wetlands adjoining historic sites.
- Retention where possible of green riverine spaces. Riverine and environmental setbacks established by ecological specialists are to be considered a primary informant in determining constraints.
- Wetland areas including Raapenberg Bird Sanctuary to be considered cultural resources as well as ecological and environmental resources of significance and retained, protected and enhanced. Peripheral edge development is to be avoided where they adversely impact upon such cultural and environmental qualities of significance
- Sensitive treatment of gateways, entrance and river crossings involving appropriate and contextual responses to scale, massing, width and height.
- Where possible riverine corridors are to be included within the public realm and as publicly accessible recreational areas. This informant is to be considered within the constraints of private ownership and security.
- Retention and enhancement of views across the river corridor system. Placement, geometry, density and height of development parcels to be carefully considered to enable the retention of significant views and sight lines to and from significant sites.

Development proposals should allow the “breaking up” of bulk to minimise visual impact across river corridors towards the mountains. The clustering of development in relation to the constraints presented by the site and the differing degrees of significance should be considered.

- Buildings to be orientated where possible towards the river corridors or in relation to the river corridors to maintain the visual and functional dominance of the riverine linear system.
- Removal of canalized portions of the river where possible to reinforce, at least in strategic parts, the notion of the area as a unique natural riverine system, with significant pre-colonial associations within what is now an urban context.

### **9.2 *Ndabeni LCA 2***

- No conservation-worthy buildings therefore structural heritage constraints to development or re-development are minimal
- Commemorations related to forced removals from District Six to Ndabeni in 1901 related to the bubonic plague and for Chief Langibalele to be considered.

### **9.3 *Alexandra Institute LCA 3***

- Development opportunities are available on the site with potential height, massing, scale and architectural treatments restrictions adjacent to the core and graded institutional buildings to reduce visual impact.
- Retention, restoration and adaptive re-use of the Nieuwe Molen. The Mill should ideally be publically accessible.
- Provision of sufficient curtilage to allow the Mill to be viewed in its entirety. Sufficient buffer space between the Mill and any proposed development

- A view cone to the Mill from the Liesbeek Black River confluence area should be accommodated, and the largely unobstructed view cone from the Liesbeek River (north) towards the Alexandra Mill is to be retained.
- Conservation of graded buildings.
- Retention of a sufficient portion of the open space in front of the Administrative block for its local landmark status to be retained.
- Investigation of historical archaeology in the site of the werf.

### **9.4 *Maitland Garden Village LCA 4***

- Development opportunities to the south and west. Proposals in this regard should respect the overall form, massing, roofscape and grain of the original. Intermediate scaling restrictions, including height and bulk restrictions, may apply on the immediate periphery to retain the scale and contextual quality of the original.
- The scale, grain and architecture of the precinct should be protected and enhanced through a variety of actions including considering declaring the area a HPOZ, urban design guidelines and architectural advice to homeowners. Consistency of scale should be encouraged within the context of modernisation.
- Views towards Devil’s Peak should be protected through scaling mechanisms and view lines where possible.
- Community development opportunities and urban renewal should be regarded as a key informant in the heritage conservation of Maitland Garden Village.
- Access to the riverine landscapes both visual and functional should be maintained.

### **9.5 Valkenburg East: Oude Molen complex and grounds incorporating the F-shaped Wards LCA 5**

#### *Oude Molen*

- Historic buildings to be retained in their entirety, protected and enhanced.
- Conserve, restore and alter (both external and internal alterations) subject to HWC requirements and with the collaboration of a historical archaeologist.
- Interpretation opportunities to explain the significance of the Oude Molen complex.
- Interpretation opportunities to explain the significance of imprisonment of King Ceteswayo.
- Undertake archaeological investigations within areas known for high archaeological potential within the site.

#### *Open space to the Black River*

- Green open space and context to the Oude Molen Complex extending from the Black River to the homestead to be largely retained as foreground space and as a rural remnant retained within a green space. This allows for the retention its 'rural' historical quality and provides opportunities for current recreational and social/cultural uses as well as indigenous allotment gardens.
- Investigate, celebrate and enhance areas of cultural memory in collaboration with relevant parties.
- Potential space for First Nation cultural centre and ceremonial space.

#### *Valkenberg East Wards*

- Wards: Conservation and adaptive reuse of the black patient wards (female blocks, male blocks and dining hall).

- Adaptive reuse of and additions can occur within courtyards. Additional developments should not overly exceed height and bulk of existing.
- Retention of some foreground space in front of the wards to allow the buildings to maintain a presence in the landscape.
- Buildings of low heritage significance and ungraded buildings may be demolished, altered extended and adaptively re-used if development requires it.

### **9.6 Valkenburg West including Valkenburg Manor and Valkenburg Hospital and surrounding landscapes LCA 6**

#### *Valkenburg Manor*

- The heritage precinct comprising the manor house and werf has distinctive qualities which need to be retained, protected and enhanced. Protection should include the protection of the iconic *figus* tree within the Valkenburg werf, including protection of its root zones.
- Additional development needs to respond to the topography and panoramic views which characterize the site. New development should not intrude into the view sheds from and of the manor house and werf, particularly in relation to the Liesbeek River and Devil's Peak.
- New development should respect the manor and werf as the focal point of development. Any additional development should be subservient in terms of location, height, massing and scale.

#### *Valkenburg Hospital*

- Retention of the "green" landscape context of the site.
- Retention of forecourt of the main administrative buildings. No infill in the open space. Protection of the views towards Devils' Peak.

- Conservation and restoration of the administrative blocks and historic wards as outstanding examples of the typology.
- Retention of dominant landmark quality of the Administration precinct and related adjacent height, massing and scale restrictions.
- Conservation of the core administrative precinct within its landscape context.
- Appropriate response to the topography of the site including the conservation of the notion of “the citadel on the hill” concept.<sup>10</sup>

### **9.7 *The SAAO and Slangkop (Observatory) Hill LCA 7***

- All future development on the site must ensure the primacy of the Observatory Hill and its architectural, cultural and visual qualities within the landscape context. The primacy of the Observatory buildings and central open space needs to be protected and enhanced.
- The status of the historic Georgian classical revival Observatory building – The Royal Observatory - as the major focal point around which the campus revolves must not be eroded by excessive and high bulk peripheral buildings or any other developments which erode the unique qualities of the campus.
- All additional structures should respect the nature of the topography as well as the site’s existing heritage and architectural character, scale and form, and should therefore not exceed the height and bulk of the existing Observatory building and related historic structures. Any additional structures need to be subservient. Such height and bulk restrictions to be implemented

to ensure primacy and dominance and a “stand alone” quality of the Historic Observatory Hill and the Baker Observatory.

- The forecourts, visual settings and related surrounds of historic and graded buildings should be protected and enhanced.
- The treed quality of the campus should be retained where possible and used to define spaces, forecourts and winding paths.
- Adaptive re-use and retention of all graded structures (except for some grade 3C). Demolitions applications should consider the impact of the loss of individual structures on the composite.
- Historic routes across the site to be respected in terms of new spatial design concepts.
- The exact extent of the remaining, historically significant view cone/s to and from the SAAO and Observatory Hill should be determined and maintained.
- A buffer extending 10 metres around the base of the Hill of no development should be maintained.
- Possible links to First Nation cosmology could be explored and linked to more public areas of the site.

### **9.8 *Vaarschedrift and the River Club LCA 8***

- 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 (cf LCA1).
- Investigate, celebrate and enhance areas of cultural memory in collaboration with relevant parties.
- Celebrate and commemorate the notion of the transhumant crossing area at the river confluence as well as the presence of the First Nation in the Peninsula.

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<sup>10</sup> Baumann N, Heritage Impact Assessment Phase One Valkenburg West Hospital 2012.

- 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.
- Development should not overwhelm the riverine corridor, the SAAO and Observatory Hill.
- A buffer and setback around the Liesbeek 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.
- Where wetland or biodiversity areas exist in a relatively pristine form, they may be used to commemorate the notion of the pre-colonial landscape i.e. the use of the landscape as artefact.
- Retention of mature treed edges to mitigate potential development impact on Observatory Hill.
- The view cone to Nieuwe Molen is to be established and is to remain unobstructed from significant public view- points.
- 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.
- Edge conditions within the site differ between those that are associated with existing development (i.e. the northern and western edges) and those that currently related to the green and cultural elements and features of the study area within the River corridor.

### **9.9 Liesbeek Parkway LCA 9**

- Development proposals should consider the scale and grain of the HPOZ of Observatory. Height and bulk of development proposals should consider the historic scale and form of the HPOZ. Scaling

mechanisms and buffer areas (landscape) should be considered to minimize impact on the heritage qualities of the suburb.

- Development proposals should use historic precedent and engage with the river corridor in terms of orientation towards the Liesbeek River.
- Any proposed development near a potential archaeological site should be subject to prior archaeological investigation.
- The entrance to the site from Station Road should be celebrated within the confines of appropriately scaled and contextually appropriate gateway mechanisms.
- The historic gateway and route to Valkenburg east of the River should be retained. Historic gate piers should be protected and upgraded as part of a system of gateways at the entrance to the site.
- Views across the River from the Liesbeek Parkway should be unobstructed where possible, or allow views through towards the River.

### **9.10 Pinelands Station LCA 10**

- There are no heritage resources of intrinsic significance. Development opportunities exist provided the design intent of the radiating roads from the station to the community heart is respected; the retention and/or replacement of the mature tree lines are maintained; and intermediate scaling restrictions, including height and bulk restrictions, must apply on the immediate periphery to retain the scale and contextual quality of the original residential areas.

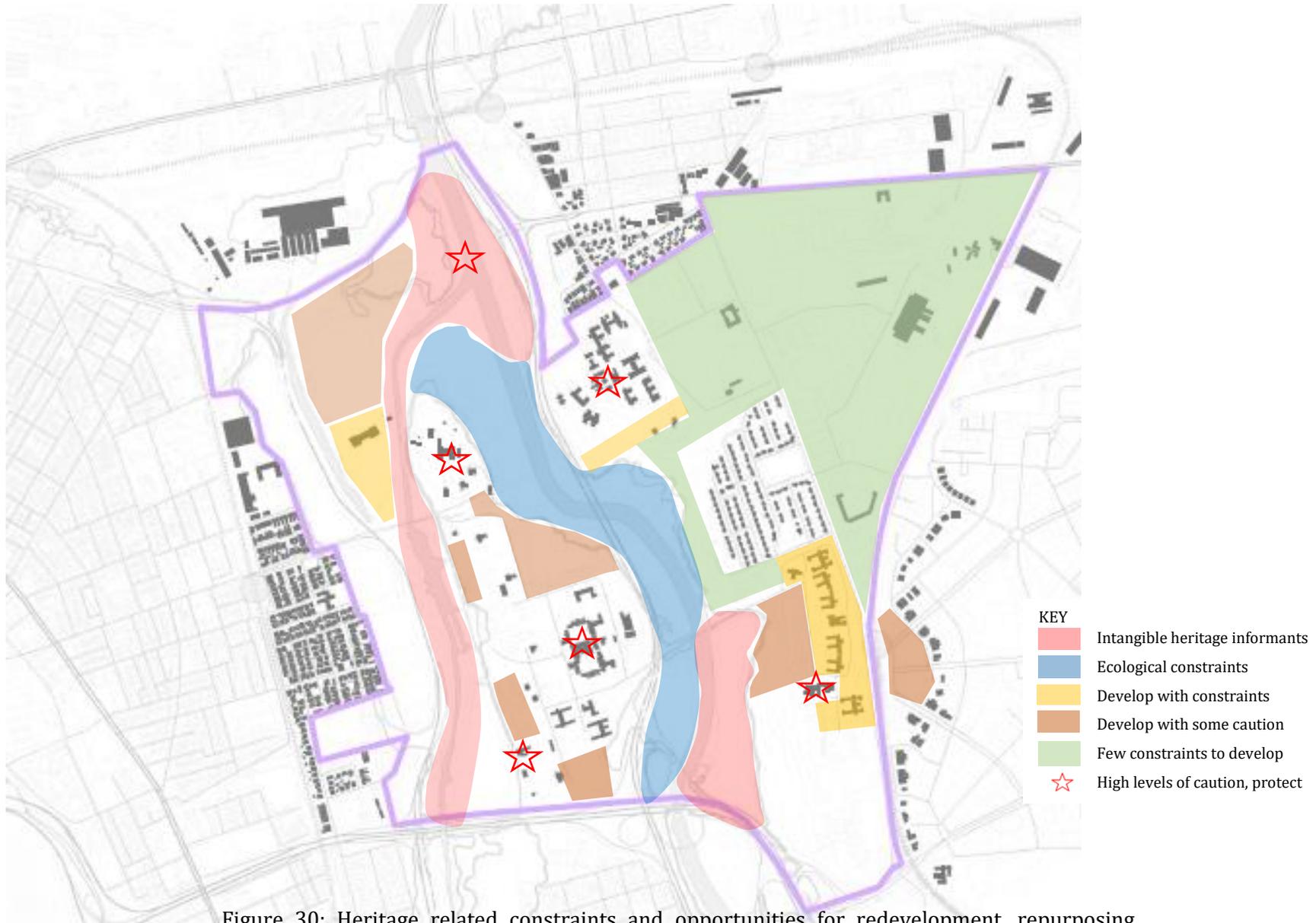


Figure 30: Heritage related constraints and opportunities for redevelopment, repurposing, restoring, re-imagining (conceptual areas, not development footprints)

## 10. Assessment of Two Rivers LSDF

The Final Two Rivers LSDF (February 2020) is included in full in [Annexure F](#). A brief summary of the LSDF is outlined below, said summary focussed specifically on those aspects of relevance to a heritage assessment. It is noted that this summary is based on the revised LSDF following public participation.

A high level assessment of the LSDF follows to establish conformity with high level heritage related development informants.

### 10.1 Summary of the LSDF

#### *Objectives*

The LSDF is required to align proposals for the study area with the 2018 CCT Metropolitan Spatial Development Framework (MSDF) and the principles outlined in the Spatial Planning and Land Use Management Act, 2013 which, *inter alia*, address spatial justice spatial restructuring and spatial equity, as well as the Transit Oriented Development Strategy (TOD) and Integrated Public Transport Network Plan (IPTN). The emphasis is to address rapid urbanisation providing housing and employment opportunities that would unlock the development of the strategically located site with significant public landholding, while enhancing and protecting the river corridors and acknowledging a variety of open space needs. The plan is also required to acknowledge and integrate the First People narrative as one of the layers to be institutionalised into the planning process.

#### *Vision*

The previous vision of the study area promoted a New York style Urban Park, with a green/park core and high rise buildings on the edges. This was to be supported by high tech green infrastructure, that made no impact on the grid. This does not deal with the reality on the ground, nor does it deal with the current mandate and national imperatives to create housing and jobs.

At the core of the study area on a hill are a number of large institutions with built heritage significance, which have long term plans to remain on the site. In addition, the opportunities for development on the site are severely curtailed by the two large river/ecological corridors (some of which is severely degraded) and sensitive wetlands; and existing uses

The vision now proposed is to “Actively intensify the residential, economic, recreational and institutional urban activities by developing limited vacant land and connecting the Mosaic of Precincts at the confluence of two rivers and two urban corridors to:

- Provide more residential units,
- Create more job opportunities,
- Celebrate complex layers of memory, cultural heritage, science and diversity,
- Enhance the structured and Open Space recreational and natural network,
- Support healing and environmental resilience,
- Promote spatial integration & urban intensification,
- Address rehabilitation and restoration of ecological areas and processes, and climate change resilience; within an efficient mobility and infrastructure network”

#### *Spatial strategies*

#### **Spatial strategy 1: Build an inclusive, integrated, vibrant city(Connect/ integrate)**

To connect the site to the local area and in so doing facilitate integration of communities and enable local residents to access urban opportunity affordably. Strategies to help achieve this objective include:

- Enhancing the Vehicular, Public Transport and NMT routes around and where appropriate through the local area for efficiency.
- Promoting safety especially for pedestrians through activity along NMT routes and increased surveillance.

- Spatial Justice through integration projects, mixed income housing and job opportunities.

**Spatial strategy 2: Manage urban growth, and create a balance between urban development and environmental protection (Enhance/Protect Biophysical/Heritage Resilience)**

To enhance the sensitive eco-systems, river corridors and cultural landscape. Strategies to help achieve this objective include:

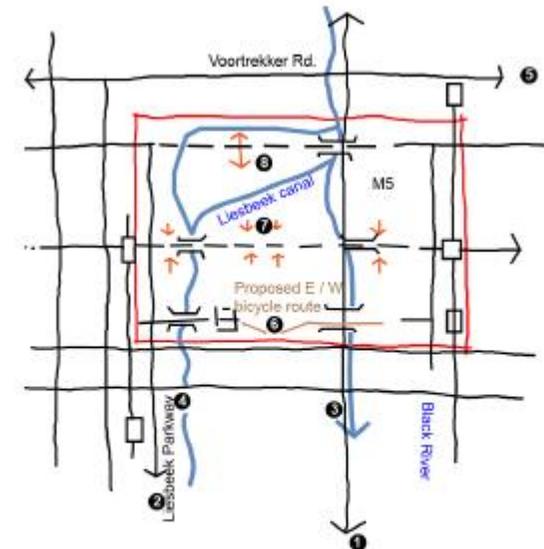
- Structuring of the River Corridors into management zones that allow for collaboration and focused funding for rehabilitation and improved water quality;
- Conservation of sensitive ecological areas through limited access while promoting access in less sensitive areas;
- Acknowledgement and celebration of the cultural heritage and multiple layers of history including historic structures , historic landscapes and opportunities for gathering and ritual. Creating a network of cultural spaces and public places. Distributed spaces of engagement spanning different precincts.

**Spatial strategy 3: Plan for employment, and improve access to economic opportunities (Activate economic)**

To create a vibrant, safe, efficient inner city environment. Strategies to help achieve this objective include:

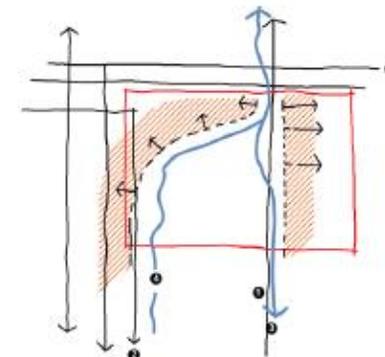
- Location of particular land uses, especially residential development, strategically to provide surveillance over key public spaces, day and night;
- Provision of social infrastructure and regional sports facilities to enhance current communities access to facilities.
- Promotion of job creation opportunities in the industrial area focused on opportunities in the health and science industries.

The diagrams that follow illustrate these principles.

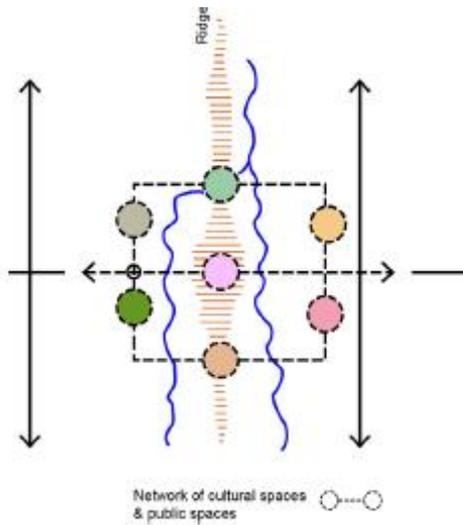
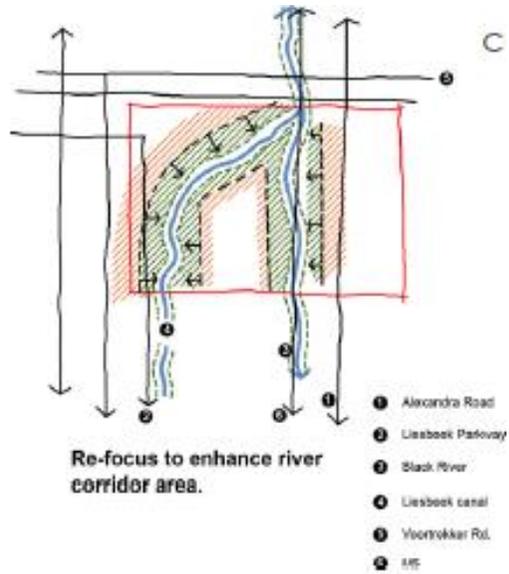


**Connect**

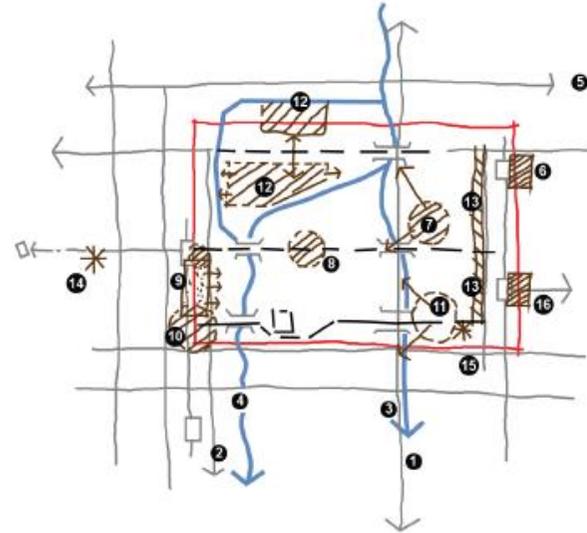
- 1 Station Rd Ext Main pedestrian priority route. Focus investment to encourage overlooking & activity
- 2 Extend Berkeley Rd. mobility route. Vehicular access to Riverclub and Transnet precinct



**Existing Focus away creating a backyard river corridor area.**



**Activate**



- 1 M5
- 2 Liesbeek Parkway
- 3 Black River
- 4 Liesbeek canal
- 5 Voortrekker Rd.
- 6 Ndabeni Station related Social housing & forecourt space.
- 7 Public activity space lined with housing forming active edge to Alexandra Institute.
- 8 Public access, activity square lined with active edges and institutions
- 9 Regional sports facilities, orientated to help activate river edge.
- 10 Educational facility
- 11 Oude Molen Mixed-use
- 12 Mixed-use Berkley Road and river frontage
- 13 Alexandra Rd. developed as local activity route. Active commercial edge to street. 'High street' type shopping precinct.
- 14 Groote Schuur hospital. Major regional facility as anchor to west side of extended Station Rd. E / W connection.
- 15 Vincent Pallotti hospital. Major regional facility as anchor to east side of south E / W connection and south end of Alexandra Rd. activity route.
- 16 Pinelands Station related Social housing & forecourt space.

At the strategic level the vision is to strengthen movement links between Two Rivers local area with the rest of Cape Town. Currently, the area is isolated by the two rivers which limit east-west access. This is further reinforced by the railway line (Cape Flats) running in a north south direction and the M5.

The gentle river valleys are ecological corridors that contain some critical biodiversity areas (CBAs) and areas of ecological importance as well as providing amenity value for residents. These should be linked to a NMT green route.

The main interventions are to create activity streets at Alexandra and Berkley Road extension that support mixed-use intensification; strengthen and reinforce the Two Rivers transport and NMT network and link with Cape Town CBD; and to provide intensification around transport nodes and routes.

Other elements include:

- A primary transport system comprising M5, Liesbeek Parkway and Alexandra Rd, from south to north with the latter operating as an activity spine as higher order mobility routes. Link roads comprising Berkley Road extension and Station Road extension east-west and Valkenberg Bridge as the public transport and non-motorised transport spines;
- These routes should be treed and landscaped and direct access permitted wherever possible;
- Mixed use intensification areas along Alexandra Road and especially at Oude Molen/Pinelands Station and along the Berkley Road extension and Station Road extension and alongside Alex Institute and the Abattoir site
- Of the ±300ha ha making up the Study area, there is currently 106,2ha (35%) open space/sports fields. Of the current Open space, 19.9ha is available to the public. Once the LSDF proposals

are developed, there will be 91,9 ha (30,6%) set aside for open space, biodiversity, cultural activity, recreational facilities in the development framework. Of the 91,9 ha, 47,4 ha will now be open to the public. The existing sporting facilities are mostly leased facilities for priority use and currently operating at capacity. However, the sportsfields have not been developed to capacity and there is room for expansion. There are very **few existing functional parks** located within the Two Rivers site. Therefore the new linear park will add to the public open space provision. (Note Green Point Urban Park is 10,5ha in size)

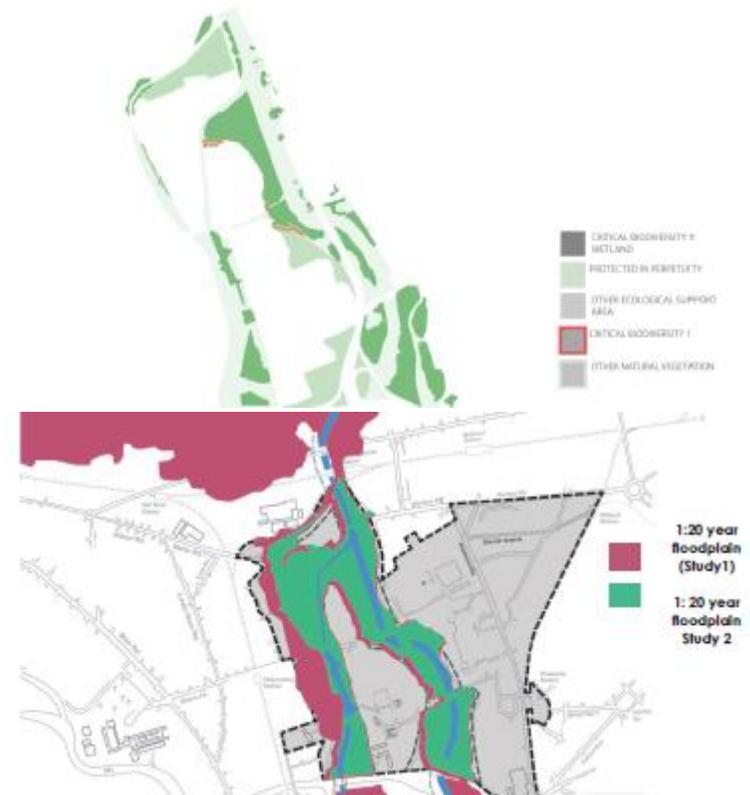


Figure 31: Biodiversity and floodplain sensitivity

### Infill and Densification

- Densification and higher intensity residential land use within targeted precincts is proposed at River Club, Oude Molen, Ndabeni, parts of Maitland Garden Village, parts of Alexandra Institute and the old Bowling Club in Observatory. The Ndabeni precinct is to be established as a mixed use industrially led densification node
- Intensify identified nodes especially TOD nodes around Pinelands Station and along the proposed Berkley Road extension.
- Retain the residential character within the Pinelands and Maitland Garden Cities/village precinct, except at the Pinelands Station Forecourt and possible mixed use opportunities along Alexandra Road to create transit accessible/ well-located residential development.
- Possible Future UDZ along Alexandra Road to encourage redevelopment.

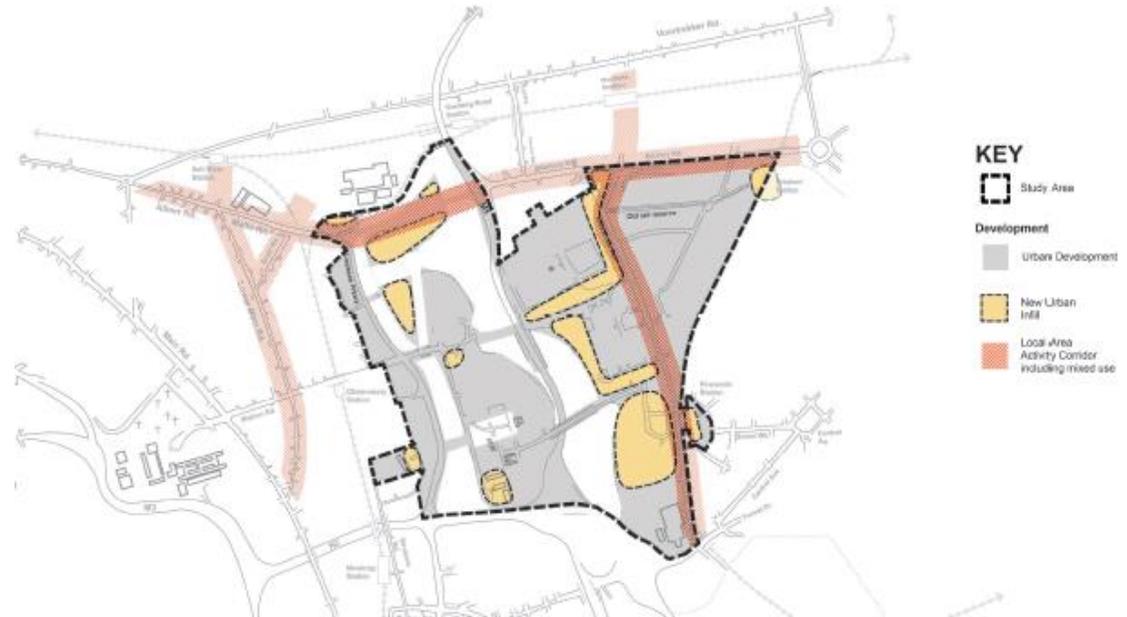


Figure 32(right): Infill and densification

### Containment, continuity and protection

- Enhance the possibilities for cultural and spiritual embodiment and spaces along the river corridors and green network of spaces.
  - Protect the environmental integrity of identified biodiversity areas along the river corridors and potential. In particular limited access along the Black River.
  - Protect continuity of ecological corridors and linkages with larger river system.
  - Protect the integrity of the Hartleyvale/Malta regional open space spaces should make up a continuous network of space.
  - Maintain integrity of existing public open space throughout
- Support residential character maintenance in identified areas, with acknowledgement of higher intensity uses along Berkley Road Extension.
  - Contain commercial development within identified nodes and nodal boundaries.
  - Acknowledge the river corridors (Liesbeek and Black) as strategic land in support of flood mitigation, conservation, NMT support and functional and recreational space.
  - Cultural Heritage network as part of continuity and protection



Figure 33): Containment and Protection

### Strategic State Land

- Promote intensification, mixed use and residential densification along Alexandra and Berkley Road extension and portions of Station Road extension (within the Alexandra Institute) in support of activity routes
- Support redevelopment of state owned land at Oude Molen for mixed use development including residential particular around the Pinelands station.
- Support intensification along Alexandra edge of Alexandria Institute.
- Support a strategic focus as scientific/industrial hub at Ndabeni.

- Support the location of SKA HQ at Observatory Hill and a Data center at Ndabeni
- Consolidate and intensify land uses in City Depots to release underutilised land
- Formalise Sports Node south of Station Road especially on underutilised land

### Guiding design principles

#### P1 Promote integration and inclusiveness

- Improve movement routes to and around the study area.
- Promote and identify areas of affordable housing.
- Improve integration between precincts and user groups.
- Create a system of NMT routes and public spaces that promote public access without compromising environmental functioning.

#### P2 Conserve, protect and enhance natural and heritage assets

- Enhance public access and or awareness of heritage buildings, and landscapes.
- Protect and conserve wetlands, faunal and avifaunal habitat where possible and appropriate along river corridors.
- Enhance, acknowledge and celebrate the layers of history and memory associated with the landscape. Memorialisation and acknowledgement of the history of exclusion in particular for the First Nation.
- The rivers have been identified as a critical component of the work and as such, understanding how best to manage flooding and develop within a dynamic natural environment whilst also improving water quality within a spatial framework,
- Integrated river management : river edge (riparian buffers)
- Ecology restoration
- Flood mitigation and integrated management

### **P3 Maximise the development and economic opportunities**

- The study area is a strategic part of the City, that is well located within the larger transport and economic network.
- Maximising economic opportunities can also be achieved through unlocking underutilized state land for development.
- As large parts of the site are state owned, it can provide an opportunity to create jobs and other economic opportunities related to scientific endeavor and health as well as for affordable housing opportunities and community facilities.
- The opportunities created through intensification of use also allow for associated commercial and retail opportunities especially in the River Club site and along Alexandra Road.
- Co-ordinate spatial planning efforts with infrastructure investment.

### **P4 Creating a clear urban structure through place making**

The key to a town's image: paths, edges, districts, nodes and landmarks  
This would entail:

- Connecting key landmarks and nodes through a system of movement routes (paths).
- Acknowledging the cultural heritage potential of the local landmarks and maximising the educational and access opportunities around these (nodes).
- Promoting appropriate open spaces as active spaces(nodes) and places of social interaction rather than sterile areas.
- Celebrate some of the edges (such as the western Liesbeek River Bank by promoting public access to it (i.e. NMT route) albeit on private land.

### **P5 Encourage a compact urban form through residential densification and transport network upgrades and transit oriented land uses**

Appropriate densification is thus strategic (where) and supported by a good transport and infrastructure system (how) and within close proximity to social amenities. The LSDF promotes the concentration of higher residential densities:

- Along higher order roads (Alexandra Road, Berkley Road, that support the public transport system.
- Adjacent to and around Public Transport stations (in particular Pinelands Station, Ndabeni and Observatory Station).
- On the periphery of open spaces to increase surveillance (Oude Molen).
- Within areas of concentrated public-sector investments (Berkley Road), and in selected areas of high private sector investment (Oude Molen and River Club)

Densification efforts therefore include;

- Mixed use development along Alexandra Road
- The River Club development located at the intersection of Berkley Road Extension and Liesbeek Parkway.
- Transnet site in the new Berkley Road Extension.
- Transit Oriented Development around the Pinelands Station including social housing and some housing and retail and around Ndabeni Station.
- Additional affordable housing adjacent to Maitland Garden Village

### **P6 Promote highest and best use of strategic state landholdings (spatial efficiency)**

- Reorganising Valkenberg- more compact footprint (Relocating Valkenberg Forensic Facility into main Valkenberg Estate)
- Infill and reorganization of Oude Molen to promote economic development and mixed use.
- Reorganising Alexandra Institute – more compact urban form through moving educational facilities away from Alexandra Road

and better utilization of Alexandra Road edge for mixed use including some residential opportunities.

- “Spatial Resilience” - flexibility in spatial plans is accommodated to ensure sustainable livelihoods.
- Allow for incremental growth over time as circumstances, technologies change.
- Climate change adaptation - as technologies change, precinct to move towards green infrastructure and sustainable resource use.

#### *Development Directives*

As a result of their over-riding significance at a ‘whole site’ level, the following spatial and policy aspects should be considered in early deliberations of development proposals and in the assessment of proposals:

- protected areas, wetlands;
- areas of risk –safety zones / flood;
- Cultural and built heritage resources and aesthetic, social assets (e.g. public sports grounds, public open space, cultural/spiritual places).
- Cultural/intangible heritage directives are to be implemented: view corridors such as the view from the Observatory

Administration building towards Signal Hill, undeveloped ridge lines, tangible heritage assets and existing vistas should be enhanced and celebrated by any development

The Two Rivers LSDF provides more detailed development guidelines at the precinct planning level, although these remain at the level of broad principle. They will not be reiterated here but can be found on pages 124 – 113 of the LSDF Report.

Proposals are made in respect of overarching public space provisions and public facilities (pages 114 – 157). The location of publically funded housing development is identified (page 156). Finally, an Implementation Framework is proposed. Of specific relevance in this regard is a proposed cultural heritage project for the entire Two Rivers site – a cultural heritage mapping and framework project inclusive of indigenous people narrative and in consultation. This is to be driven by DECAS and CCT in consultation with I&APs.



Figure 34: Spatial Development Framework Diagram

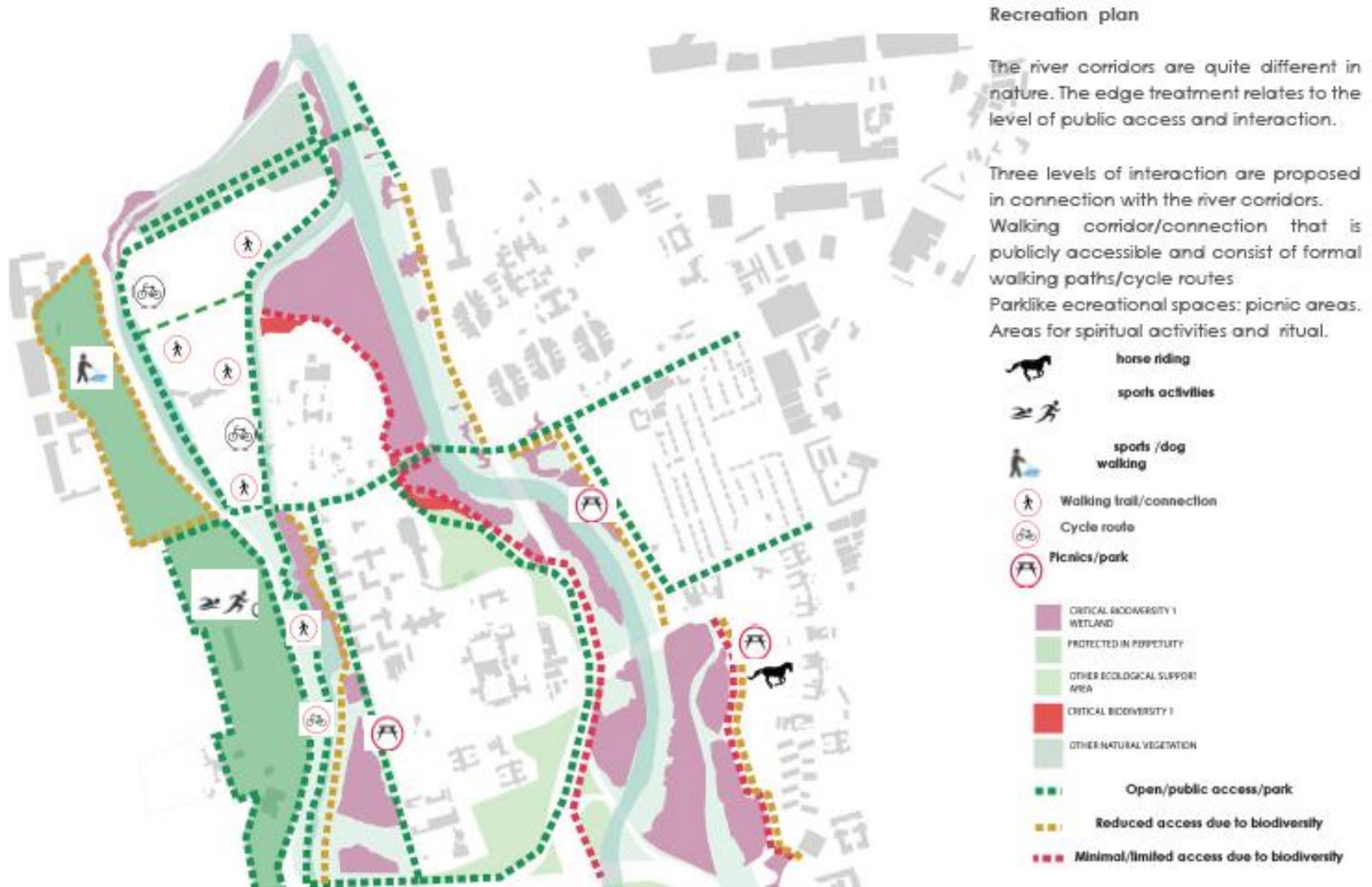


Figure 35: Recreation plan

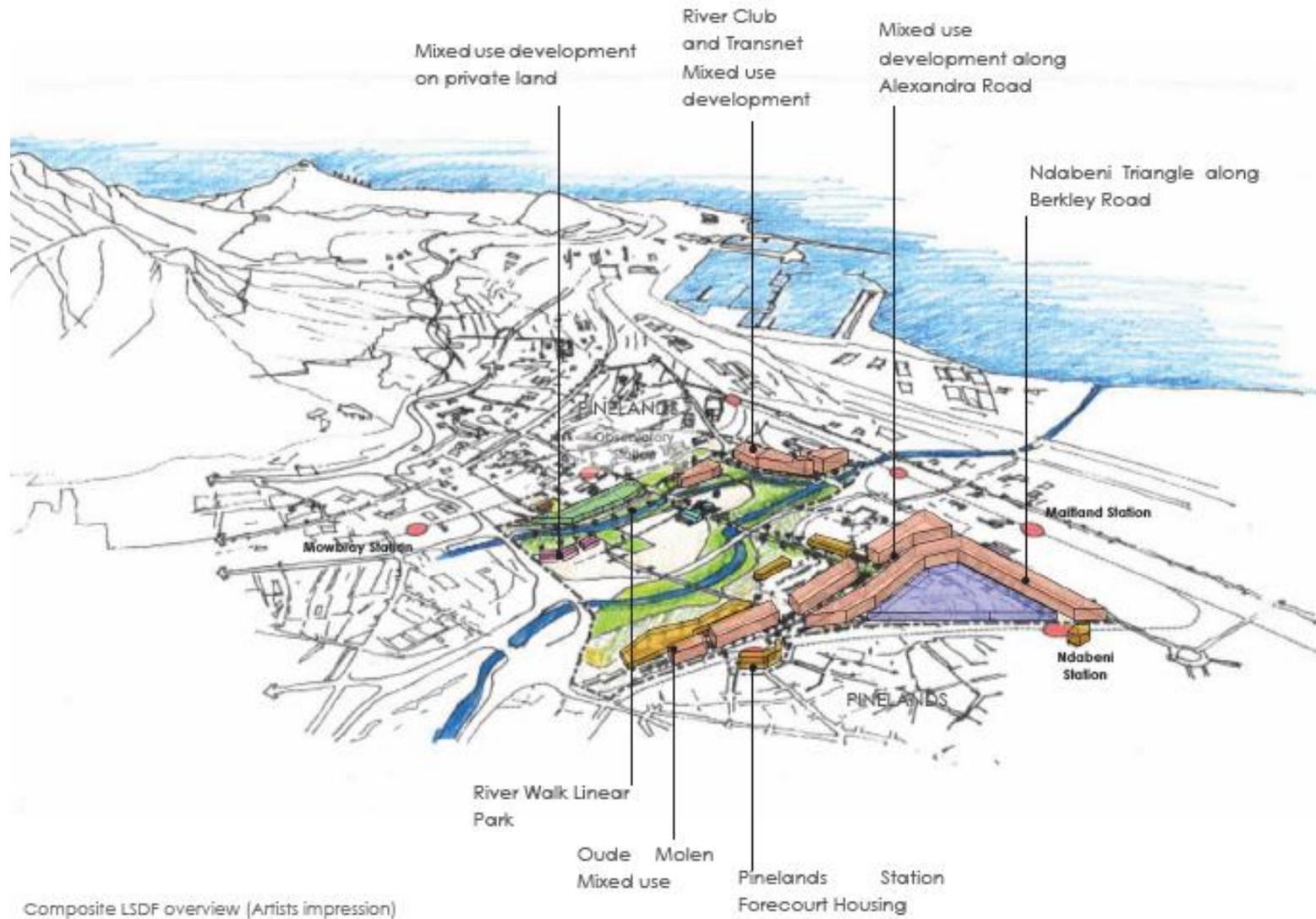


Figure 36: Composite LSFDF overview (Artists impression)

### **10.2 High level assessment of the LSDF for conformity with HRDI**

It is noted that conformity with many of even the high level HRDI's in this Report can only be established at more detailed planning levels. The LSDF is therefore assessed for the degree to which it is *sufficiently sensitive* to heritage issues to *enable* effective incorporation of such considerations at later stages in the process, such as Precinct Level Plans and projects, which will trigger the Phase 2 HIAs.

#### *Preamble*

The associations of the site are historically, and in many respects currently, one of dispossession, exclusion, marginalisation and loss. Recognition and redress must be at the core of any heritage sensitive planning process.

Heritage is a creative process, not only about recognising the history of a place, building, or community, but more importantly about creating a new, vibrant future. For buildings, this is called “adaptive re-use”, and there good reason at the Two Rivers site that the term “adaptive re-use” can also be usefully applied at planning level. At this site, the “wholeness” of the site experience does not currently exist robustly at all: an integrated planning and heritage (*inter alia*) design process holds the possibility to create a better future for the site. AFMAS (Second Supplementary Report) presents the concept of a heritage matrix which can attend to First Nation issues. This indigenous heritage underlies all site precincts; the heritage matrix idea provides a spatially rich concept for linking the sites.

#### *LSDF as it addresses the site in its entirety*

The Two Rivers LSDF in its essence is regarded as a catalytic project, with a vision based on spatial transformation where social and economic challenges are to be placed at the centre of spatial transformative growth. It explicitly recognises the significance of the

heritage issues to inform growth and development, protection and enhancement. “From a heritage perspective, the NHRA speaks to “redressing past inequities”, through deepening our understanding of society, encouraging us to empathise with the experience of others, and address the facilitation of healing through both material and symbolic restitution” (LSDF).

The draft Phase 1 HIA (and associated reports), with heritage informants has been incorporated directly into the LSDF where appropriate.

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.

It is essential that the proposed project to formulate this network of public spaces and places be commissioned as soon as Precinct Planning for the site is initiated, as no one local area or precinct or developer can host or appropriately reference the aspirations of broader heritage intent. It is suggested HWC play a part in facilitating this. The Western Cape Department of Cultural Affairs and Sport (DCAS) have confirmed that they have identified the Two Rivers site as one of the three sites

for the Western Cape Legacy and Resistance route. The City of Cape Town’s Development Facilitation Unit, in a presentation on 19 February 2015 to the Department of Trade and Industry, confirmed that the CCT Mayoral Committee, in 2010, supported:

- the proposed commemoration of the first Koina-VOC war, which could take the form of public art, a memorial, or interpretive installations
- that such commemoration occur in the Liesbeek Valley and should promote healing, education and heritage;
- that a public process be initiated to solicit concepts and ideas, which the City would adjudicate, budget and identify possible funding partners or sponsors.

It is suggested this project build on the work undertaken by AFMAS, including the precedent studies, and be driven through the combined and co-ordinated efforts of DCAS, HWC and the CCT. It is important that this project espouses indigenous planning with its hallmark being the centrality of the indigenous worldview. It should incorporate traditional knowledge and cultural identity, in a participatory manner, in the planning process.

Additional proposals which support the heritage concerns include:

- 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 rivercourse along its eastern edge are significant in this regard (the former was a proposal arising in response to the consultation process).
- The myriad of constraints on the site mean there are few opportunities for re-development. However, proposals for infill,

densification and the provision of affordable housing in such an accessible location, together with the potential for the provision of work provided by the industrial node must be considered of very high socio-economic benefit and offering an opportunity to redress and re-balance in a currently divided city. This is supported.

*LSDF precinct proposals*

The Precinct Plan boundaries included in the LSDF do not accord directly with the Landscape Character Area (LCA) boundaries utilised in this Phase 1 HIA. The former were developed later and on the basis of different requirements (the LSDF precincts apply to specific areas that have common features, functional relationships or phasing requirements). However this is not considered to be a concern provided the identification of heritage resources, significance and HRDIs are appropriately applied at the Precinct Planning stage.

The following table links the Precincts to the appropriate LCA.

<b>LSDF PRECINCT</b>		<b>PHASE 1 HIA LCA</b>	
<b>A</b>	The Liesbeek River Corridor and River Club	8 and part of 6	Part of “site as a whole”; Vaarschedrift and the River Club (LCA 8) and portion of surrounding landscapes of LCA6
<b>B</b>	Valkenberg Estate & SAAO	6 & 7	Valkenburg West including Valkenburg Hospital, Valkenburg Manor, and surrounding landscapes (LCA 6) & the SAAO (LCA 7)
<b>C</b>	Sports fields	9	The Liesbeek Parkway Corridor (LCA 9)

<b>D</b>	Oude Molen/ Pinelands Station Precinct	5 & 10	Valkenburg East: Oude Molen complex and grounds incorporating the F-shaped Wards (LCA 5) & Pinelands Station (LCA 10)
<b>E</b>	Maitland Garden Village Precinct	4	Maitland Garden Village (LCA 4)
<b>F</b>	Alexandra Institute	3	Alexandra Institute (LCA 3)
<b>G</b>	Berkley Road Industrial Triangle	2	Ndabeni
<b>H</b>	Black River Corridor	4 & 5	Part of "site as a whole"; LCA 4 and LCA 5

#### A: The Liesbeek River Corridor and River Club

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. However, it is essential that the intangible heritage factors and protection of the SAAO be taken into consideration. The proposal that at least 40% of the land use of the developable portion should be residential, of which at least 20% of the should be social housing is supported as a socio-economic benefit which could contribute to mitigation of potential heritage impacts.

#### B: Valkenberg Estate & SAAO

The character of the Valkenberg Estate and SAAO will largely remain the same in line with the existing institutional restrictions, approved Development Frameworks and approved HIAs for this precinct.

Two proposed changes include:

- "The current DF for the Valkenberg Site has allowed some space north of the precinct for possible future expansion. This offers

an opportunity for a reconfiguration of this northern boundary to allow the SKA development to occupy this space on the hill. Buildings not to exceed 3 storeys or 15m in height"

- New urban infill sites have been identified on under-utilised land around the Valkenberg Manor and at the north-western corner of the Valkenberg Institution site.

The possible relocation of the SKA site is seen as an appropriate opportunity to link with the SAAO site, and also holds the possibility of linking into intangible heritage informants such as indigenous cosmology. Provided the HRDIs are applied at precinct planning level and heritage impact assessments as triggered by the NHRA undertaken, the concept proposals are accepted in principle.

#### C: Sports fields

The regional sports and recreational character is to be maintained, with some intensification of regional facilities.

A new urban infill site for social housing has been identified on under-utilised land at the old Hartleyvale Bowling Club site, and an additional primary school next to the Mary Kihn school . Both have suggested height restrictions.

Provided the HRDIs are applied at precinct planning level and heritage impact assessments as triggered by the NHRA undertaken, the concept proposals are accepted in principle.

#### D: Oude Molen/ Pinelands Station Precinct

This precinct is envisaged as an intensive mixed use precinct inclusive of offices, residential, schools and related facilities on the Oude Molen site and a 4 storey social housing residential precinct on the Pinelands side of the station. The intensification of use around the station on both sides may justify additional retail facilities on the overhead platform of

the station as well as possible retail (small shop) on the ground floor of the forecourt building or residential buildings. An overhead bridge linking Oude Molen and the Pinelands side is to be explored.

Principles of re-development include:

- Mixed use development
- Increased density towards Alexandra Road
- Decreased density towards the river.
- Acknowledgement and adaptive re-use of the heritage structures
- Improvement of the interface with Maitland Garden Village and the river.
- Acknowledgement of the cultural rights of First Nation and integrating heritage and culture into public place design
- Promoting TOD through intensification of residential and commercial use around station.
- Promoting spatial integration through social housing
- Retaining the park like character around station on the Pinelands side and build on land next to station.

This is possibly the most intensive re-development envisaged for a heritage sensitive area in the project area. However, heritage considerations have been taken into account and provided the HRDIs are applied at precinct planning level and heritage impact assessments as triggered by the NHRA undertaken, the concept proposals are accepted in principle.

#### E: Maitland Garden Village

The intention is that the village is largely retained in its present form due to its heritage significance and future upgrade and development of the residential properties be guided through urban design guidelines and architectural advice to owners to achieve a consistency of scale within the context of modernization. Some additional housing is proposed on the periphery to respond to the need from backyarders as

well as the extremely central location of this site in the City in relation to jobs and public transport.

Heritage considerations have been taken into account and provided the HRDIs are applied at precinct planning level, the concept proposals are accepted in principle.

#### F: Alexandra Institute

In terms of the requirements of the current users and owners, the main portion of the precinct to remain as it is. However, the proposal is to move the current school facilities along the Alexandra Road edge to be consolidated within the current precinct in the vacant spaces. The southern edge with Maitland Garden Village is to be intensified with additional housing. The Alexandra Road edge to be redeveloped as a mixed use precinct to encourage the use of Alexandra Road as an activity street. Alexandra Road to be realigned to connect with Bax Road. This will allow an additional mixed use development site on the western side of Alexandra Road.

The Nieuwe Molen is proposed to be retained, restored and reused preferably for a public use, although public access is difficult as it is embedded in the hospital precinct.

Heritage considerations have been taken into account and provided the HRDIs are applied at precinct planning level, the concept proposals are accepted in principle.

#### G: Berkley Road Industrial Ndabeni Triangle

Berkley Road Industrial Triangle is to remain an industrial area with some utility functions. The Biovac facility to be extended and the industrial area may take on a larger health/medical technology role. The interface along Alexandra Road to become more mixed use with opportunities for retail and office/ commercial on the ground floor.

There are no structural heritage constraints to development or re-development, although commemorations related to forced removals of the urban Black community of Cape Town from District Six to Ndabeni in 1901 and for Chief Langibalele were suggested for consideration in this Phase 1 HIA. This could form part of the proposed cultural heritage project designed, in consultation with the I&APs, to give form to intangible heritage associations across the site.

#### H: Black River Corridor

The Black River corridor will retain limited access particularly around the wetland areas. Development, however in the form of landscaping is promoted on the M5 road reserve in the form of a cultural park. The presence of the riverine system, with its strong linear spatial qualities and the openness and visual accessibility of parts of the site, to provide a strong sense of visual relief in an urbanised landscape.

The Landscaped Cultural Park/study to be initiated is to include a process for acknowledgement of cultural diversity in the precinct (the details and extent of which are to be determined as part of the larger cultural heritage project).

Heritage considerations have been taken into account and provided the HRDIs are applied at precinct planning level, the concept proposals are accepted in principle.

#### *Conclusion*

In conclusion, the Draft Two Rivers LSDF is assessed as being sensitive to heritage issues and this should enable effective incorporation of such considerations at later stages in the process, such as Precinct Level Plans and projects, which will trigger the Phase 2 HIAs.

However, whilst precinct level planning will ensure more detailed heritage input into and assessment of the proposals, there remains a

concern that the *area-wide* heritage considerations may be lost, in particular the detailing of the 'network of public places and spaces' as they accommodate the proposals arising from the Supplementary (First Nations) Report, with the additional intangible heritage identified elsewhere in this Phase 1 HIA. It is therefore re-iterated that it is essential that this project be commissioned as soon as Precinct Planning is initiated, and it is recommended that HWC and the CCT play a part in facilitating this. The DCAS Legacy Project may be an appropriate location for this initiative.

## **11. Public participation**

### 11.1 Process

The 2017 TRUP Baseline Heritage Study was subject to an extended public participation process linked to the 2017 TRUP Draft LSDF, for further details, refer to [Annexure B](#).

The Second Supplementary (TRUP First Nations) Report (Annexure D) was specifically commissioned, and the outcomes based on a series of direct engagements with First Nation representatives. This was in response to a recommendation by IACom for further consultation in respect the what is termed in this report as the 'First Supplementary Report' (Annexure C). It was also in response to the recognition that First Nations engagement in the process had, up to 2017, and for various reasons, been limited. This intention and subsequent participation process was outlined to IACom, considered and supported at their meeting 12 June 2019 (see Annexure E).

Having incorporated the findings of the Second Supplementary (TRUP First Nations) Report into a revised and updated Draft Phase 1 HIA, the draft version of this Phase 1 HIA was then advertised to all I&APs for a 60 day period for their comment. This was undertaken simultaneously with the public participation process for the Draft LSDF.

The Two Rivers Draft Phase 1 HIA public participation process (details of which are included in [Annexure G1](#)) is summarised as follows:

- Section 38 notice adverts in English, Afrikaans and IsiXhosa (drafted in accordance with HWC Guidelines);
- Newspaper adverts in all three languages published in the Argus, Peoples Post, Die Burger and Southern Suburbs Tatler
- Direct e-mail advertising to 361 I&APs, updated from those registered in the previous participation process. The lists included, *inter alia*, registered Conservation Bodies, other heritage bodies that may have an interest in the matter, community organisations, local Councillors and Municipal heritage officials.
- Three LSDF Open Days which included
  - 23 October (15h00 – 20h00) – project display, availability of professional team and the heritage practitioners, and comment sheets;
  - 20 November (15h00 – 21h00) - project display, availability of professional team and the heritage practitioners, presentation of the LSDF, related HIA process, Q&A session; and comment sheets. In addition the audience was formally addressed by Mr Ron Martin and Mr Tauriq Jenkins representing two different groupings from the First Nations;
  - 27 November (18h00 – 20h00) at which Mr Tauriq Jenkins and Mr Marc Turok made presentations, followed by a Q&A session.
- Hard copies of the documents were made available for scrutiny at the Observatory, Ndabeni and Pinelands libraries.

- Electronic copies of the documents were made available on the Western Cape Government’s website.

Advertising of the Two Rivers LSDF followed the same process, simultaneously. A period of 60 days was given for comments to be submitted (17 October to 17 December 2019): comments on the LSDF were submitted to the City of Cape Town; comments on the HIA were submitted to the author of this report, Cindy Postlethwayt.

### 11.2 Comments and responses

All heritage related comments are included in full in [Annexure G2](#). Although it is not always possible to separate, in the main only heritage related comments have been considered for response into the final Phase 1 HIA. Other matters (e.g. planning related issues) will be taken up through the LSDF process.

It is recommended that the comments be read in full in case of perceived or accidental misrepresentation in this summary, or because some comments are so comprehensive as to make summary inadvisable.

54 letters of objection were received<sup>11</sup>. The comments will not be responded to in detail and individually but rather the broad, common heritage-related concerns are outlined and addressed. Many comments were derived from the same or a very similar original source and for ease of reference and response, these have been grouped together.

A full reading of the objections received reveals a number of common overriding themes or areas of concern. The most significant of these are the alleged re-naming of the TRUP to ‘Two Rivers’; the public

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<sup>11</sup> It is to be noted that where two letters of objection were received from the same address, and were copies of each other, they were linked in the Response Table but counted as individual comments.

participation process and co-design; the grading of the area; and the proposed River Club development. These will be addressed in the first instance.

Of the additional issues raised (i.e. those not relating to the issues listed above), the comments of the Observatory Civic Association (OCA) and Two Rivers Urban Park Association (TRUPA) are the most comprehensive, have overlapping concerns and in general terms, cover most of the issues raised by individual I&APs (indeed many comments appear to be derived from the overarching comments of one or other of these organisations). Therefore, the comments from these two bodies will be responded to more comprehensively where possible, and the same or similar comments raised by other I&APs will be considered to have been so responded to. Finally, a few additional issues raised by I&APs which have not been addressed in previous responses, will then be responded to.

In a number of instances, there is a fundamental difference of opinion or interpretation between that outlined in this Report (and associated Annexures) and that of the I&APs. TRUPA in particular has presented an alternative proposal. Given that much of this relates to planning matters, or that this assessor stands by her original position, these are presented on their own merits for the consideration of Committee, but will not be responded to.

**Referring to TRUP as the ‘Two Rivers’ site:**

Most responding I&APs have objected to the ‘renaming’ of the TRUP.

It is to be noted that this was provided only as an interim study area description, not as a "name change". It arose through the LSDF process,

but was supported by this assessor since it was reasoned that there were also valid heritage related reasons for it. This was outlined in this report (p8) as follows:

*“The Local Area is a space of intense contestation that has over time reflected the values of different residents and historical periods in time. However, it is not one homogenous area and the vision for the local area , must celebrate these differences. It is large piece of the City and has an important role to play in spatial restructuring. It is a misnomer to call the entire area an urban park. Although there are parks within the space, it is difficult to shoehorn this diverse space which includes industrial uses and multiple institutions to fit with one single concept of a park. It is possible to maintain the ecological integrity of the river and wetland system without declaring the entire area a park. The site also has a long history dating back to when the First People utilised this area and their narrative sits uncomfortably next to the later colonial and apartheid history present on the site.”<sup>12</sup>*

The study area is more than 300ha in size and comprises some 350 erven. The HIA has consistently maintained that in addition to the underlying historical terrain which encompasses the entire site and beyond, the area can be viewed through the lens of precincts which have distinct and coherent historical characters.

It is intended that a public process of place naming be undertaken at a later stage. For the time being, DTPW and CoCT suggest that the study area names “Two Rivers” or “TRUP” may be used interchangeably. Either of them, or another name, may eventually be chosen, through public process, to be the name of the study area

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<sup>12</sup> Two Rivers LSDF: 18

**Public participation process and co-design:**

Most I&APs have queried the validity of the recent public participation process, particularly against the background of the previous *planning* process, which entailed an element of co-design.

The co-design workshops started with the review of the 2003 Contextual Framework, as a Phase One. A total of 13 workshops were held as part of the co-design process. The purpose of these workshops was exploratory, identifying a possible range of informants and modelling for a revision to the contextual framework. Two of the workshops were used to wrap up, and to share both the range of suggested informants as well as the specialist studies. Scenarios based on the informants and what is technically feasible were tested by the specialist studies and co-design informants. The scenario that best responded to the informants were taken to the next phase, Phase 2, of the project.

It should be noted that the design informant process was undertaken outside of a formal legislative process with only a selected group. As the project progressed onto the next (statutory) phase all stakeholders had to be included.

Option C, which has been put forward by Mr Marc Turok was not a result of the co- design process. It emerged after that process.

The formal public process has included a 60 day comment period, as well as three separate public open days/public meetings. These exceed the legal requirements for public comment.

**Grading of the area in terms of the NHRA:**

Many I&APs stressed the need for the site to be graded by HWC before any planning work be undertaken.

This issue has been raised in previous participation processes and since it appears there may be confusion in this regard, it is noted that a distinction should be made between formal protections in terms of the NHRA (applicable to Grades 1 and 2) and grading for heritage significance.

In respect of the former (formal protections), at its meeting 12 April 2017 HWC's IACom responded to the issue raised by I&APs by recommending that the Council of HWC consider the provisional protection of the entire area, specifically to investigate the *desirability and extent* of the area to be potentially so affected. The matter was considered by HWC's Inventories, Gradings and Interpretations Committee (IGIC) at its meeting 31 May 2017 and, acknowledging problems related to the size of the site, the complex interplay of significances and the need for appropriate management, IGIC required that the further work required by IACom be completed before consideration could be given to the matter. On 9 June 2017, IACom referred the matter to Council and further, on 12 July 2017, tasked one of its members with investigating a more compact boundary for provisional protection. Ultimately, on 20 March 2018, only the River Club site was accorded provisional protection. The history of this process (excluding decisions directly pertaining to the River Club) was included in Annexure E to this report.

In respect of the latter (grading for heritage significance), the s38 NHRA process, *inter alia*, provides the opportunity to propose grading of sites since the necessary investigations can be undertaken in this regard. HWC can then refute or support such proposed grading and this grading stands until such time as additional information may be presented to alter this decision. HWC does not have to capacity to undertake such investigations itself on a regular basis.

HWC's Guideline entitled "*Grading: Purpose and Management Implications*" describes the relevance of the heritage grading applied to heritage resources and states that: "*Grading is an important step in the process towards (but not necessarily leading to<sup>13</sup>) the formal protection of a heritage resource, such as a declaration as a National Heritage Site, Provincial Heritage Site, or, in the case of a Grade III heritage resource, the placing of a resource on the Heritage Register. It is not an end in itself, but a means of establishing an appropriate level of management for the process of future formal protection.*"<sup>14</sup>

The issue of grading has been raised in the various heritage reports related to this site to date, and discussed in this report on pages 19 to 28. Where possible, indications as to general significance, formal protections and easily identifiable gradings are given or mapped. However, the identification of heritage significance requires comprehensive and detailed assessment and this is not possible to do at the scale at which the LSDF is prepared. Where HIA processes have been already undertaken, or formal protections are in place, these gradings have been provided. Further site or building specific gradings will have to wait for the Phase 2 HIAs .

Moreover, the Report specifically addresses the advisability of a single grading for the entire site. To re-iterate "In many respects, the intangible heritage factors could be regarded as being of at least Grade II significance, probably of the highest order. However, it is not possible to provide definitive boundaries to such a designation – it is clear that the pre-colonial indigenous landscape of significance to the First Nation is not contiguous with the study area, nor circumscribed by precinct or character area boundaries. Moreover, nested within the larger site are many other individual heritage resources (tangible *and* intangible), some of which are declared, others of which have very little intrinsic significance. Certain areas and elements have no meaningful or remaining heritage significance.

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<sup>13</sup> Author's emphasis

Given the difficulty of a single significance rating, or even precinct wide ratings (tantamount to a one-note concept in an orchestra of significances), and given that any such assignation could have significant management implications, it is suggested this would be more appropriately explored further in the precinct level, Phase 2 HIAs, led by the broad statements of significance provided in this Phase 1 Report." (p19 )

This assessor continues to believe in the validity and practicality of this position and presents it, alongside the arguments made by the I&APs, to HWC for further consideration. Refer also to Figure 3 in this Report.

#### **Proposed River Club development:**

It is notable that there is very little comment that is not focussed on the proposed River Club development, directly or indirectly.

There is a small grouping of comments made in respect of Oude Molen, and a few in relation to the Pinelands Station (largely planning related), but in general, there are almost no comments (positive or negative) about the analysis and assessment of other sites or precincts in the remainder of the document.

It is also notable that, of the groupings who have been most engaged in public discussions since 2017, there has been almost no further

<sup>14</sup> *Grading: Purpose and Management Implications*, page 1.

comment on the report and its associated appendices, from the First Nations groupings or individuals.<sup>15</sup>

It must be stated categorically that it is both professionally and procedurally inappropriate and not the role of an HIA to comment on or undertake impact assessments for other sites themselves undergoing s38(8) process. This assessor has made a significant effort not to reflect directly upon the information or assessments emerging from the River Club HIA process, although, since it is in the public realm, there is knowledge of it.

Further to the above-mentioned, IACom, in its comments on the Baseline Heritage Study on 12 April 2017, raised a concern “in respect of the origin of certain of the heritage informants that have been tabled: one example is that it is wholly unclear as to how the height related informants for the River Club were derived. It is difficult not to draw conclusion that these are based on a pre-conceived development concept.”

In response, and in order to maintain the independence of this report, all references to detailed indicators for which sufficient evidence could not be determined, at this broad level of analysis, with any validity, both for the River Club site and others, were deleted and replaced with an outcomes based indicator/s.

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<sup>15</sup> With the exception of Paramount Chief David Johannes Bolton of the Cochoqua Kingdom Council (Mamre) who did comment but these are specifically directed to the River Club development.

Thus, in broad terms, and based on independent analysis, proposed grading and indicators developed in the earlier HIA reports<sup>16</sup>, an assessment of significance and proposed indicators have been made. These are designed to provide a broad framework for assessment in other HIAs or by the heritage authorities should they so agree. This Phase 1 HIA cannot and will not be used to assess the current River Club proposals. This remains the responsibility of the authorities, in processes related directly to that site.

Finally, it must be strongly asserted that the view taken in this Phase 1 HIA that some form of development is possible on the River Club site cannot be taken to imply (as many commentators do) that the author of this report is not independent of the River Club development.

<sup>16</sup> much of which was undertaken prior to the River Club proposals becoming public

I&AP	Comments	Responses
Observatory Civic Association	<p>Front cover: The HIA refers to the site as “Two Rivers (formally TRUP).” It is unclear if the HIA means to state “formerly” or “formally”. If the reference is to “formerly”, then we query what process changed that name. If the reference is to “formally”, then it is incorrect to refer to the HIA as being for the Two Rivers LSDF. The Municipal Spatial Development Framework continued to refer to the area as the Two Rivers Urban Park, as recently as 2018. The MSDF was adopted by Council on 25th April 2018. Should the proponents wish to change the name of the precinct, this could be proposed for public consultation. It is unacceptable that this name change can be effected by sleuth, without public comment and contrary to previous policy and LSDF planning processes.</p> <p>P5: We note that the HIA is informed by all previous submissions to HWC in respect of this area. This is appreciated. However, it is not always clear that these previous reports have been fully integrated</p> <p>P8: It is noted that “the area is a very large and complex one, of high heritage significance.” We agree completely with this assessment. For that reason, we believe the areas should be properly graded by HWC following suitable investigations. The rush to complete the LSDF before such a grading is completed is not appropriate.</p> <p>P8: The current planning team are of the opinion that this (the name Two Rivers Urban Park) is misleading. On what basis can the current planning team make the decision to change the name of a precinct recognised in policy as the Two Rivers Urban Park? This has been done in a non-transparent manner without any public consultation. Notwithstanding argument that there are non-park elements within the precinct as defined, it is the case that the largest component of the zoning in the precinct is for Open Space and for uses entirely compatible with an Urban Park concept. The HIA is introducing confusion where there should be none. It is unclear why reference to the First People whose “narrative sits uncomfortably next to later colonial and apartheid history” can be linked to justification of the name change for the Park. If anything, the dense history would emphasise the importance of retaining the notion of the area being recognised as a park. Further, it is unclear what is implied by a history being ‘uncomfortable’? The entire history of South Africa, post-colonially, sits uncomfortably with pre-colonial history. That is exactly what constitutes the South African condition today. One cannot see how this justified changing the name of the park. One would imagine it is the job of the Heritage Consultant to lead the planning team</p>	<p>Spell-check error: meant to be ‘formerly’. Rationale provided on p8. Since the <i>raison d’etre</i> for the preparation of this HIA is the LSDF and later precinct planning process, it follows the LSDF title.</p> <p>See overarching response in this regard and the LSDF Comments and Responses Report (LSDF C&amp;RR)</p> <p>These reports are all appended to the Draft Phase 1 HIA, noted as remaining relevant and to be read in conjunction with. There is much that has been directly incorporated into this report. However, the number of previous reports and supplementary information has required a consolidation of this into a single document. Developments in historical understanding have been incorporated. The comments of HWC to previous reports have also been taken into account. No specific information as to contrary or conflicting information between the reports has been provided by the OCA</p> <p>See overarching response</p> <p>Since the <i>raison d’etre</i> for the preparation of this HIA is the LSDF and later precinct planning process, it follows the LSDF title. See overarching response</p> <p>However, there is no heritage based reason for identifying the site as the ‘Two Rivers Urban Park’. This has been a planning assignation that arose out of City of Cape Town process as a project name. This Phase 1 HIA does not suggest that TRUP does not remain as the name of the study area, or part of the study area, rather that it can be considered as one option in a possible future consideration of re-naming the site, for reasons detailed elsewhere in the responses.</p>

	<p>on matters of history and heritage and not be led in accepting the interpretation of people who are experts in fields other than heritage.</p> <p>P10: The account of First Nations history on the site appears to rely heavily on and frequently references "The First Nation Collective." However, nowhere in the HIA nor the accompanying First Nation Report is there any explanation of what the First Nation Collective is or when it was formed and what authority it has to speak on behalf of all First Nations, as is implied in both reports. This is odd because when a number of First Nation Chiefs attended the first Heritage Appeal Tribunal Hearings over the HWC decision to provisionally protect the River Club, no mention was made of the existence of a First Nations Collective, either by the appellants or the chiefs present in the room. If the AFMAS report wishes to elevate the First Nations Collective to a special place in narrating Khoi history, it needs to provide evidence for why it does so. No such evidence can be identified from the report.</p> <p>P14: The Infographic (figure 8) summarises the Cultural Landscape of the area. We think this infographic is an excellent summary and commend the consultants on this. It is, however, striking, that there are no entries after 1994. This may partly reflect the neglect of Khoi and other first nations in public politics post-1994 but it also seems to omit some important developments such as the development of the Traditional and Khoi-San Leadership Bill (adopted in 2019) and the fact that DA&amp;C identified TRUP as one of the three sites for the Western Cape Legacy and Resistance route.</p> <p>P15 and 16: the argument is made that the HIA should only focus on the highest and most abstract level of understanding of the area and leave determination of detailed layers of significance to precinct level studies. A further version of this position is articulated on page 37 where it is argued that integrating heritage into</p>	<p>The First Nation Report (Annexure D) does in fact specifically articulate the basis upon which self-identified First Nation representatives were included in discussions (pages 1 – 2). To reiterate: it has been the intention of the client body that engagement with First Nation representatives be as inclusive as possible. In the absence of an elected Khoi San Council, the indigenous informants of the social engagement were those that self-identified as First Nation peoples. The project did not attempt to determine who constitutes the First Nations, or how membership or inclusion in the First Nation community was determined.</p> <p>Therefore, Heritage Western Cape provided the names of individuals that had indicated an interest in the proceedings. These and any others names provided by the people on the abovementioned list were used to determine the engagement parameters. The DTPW Special Projects team also requested the PGWC: Dept. of Cultural Affairs and Sport to make enquires as to whether any groupings listed with their data base had an interest the Two Rivers environs. Further than that, anyone who was interested in joining the workshops was welcomed. The methodology of engagement was equally open and described in the Report. Those who engaged in the process had an opportunity to comment on the report before it was provided to this heritage practitioner, and there has been further opportunity to comment through this recent public participation process.</p> <p>In the context of First Nation resurgence, the principle of inclusion remains an important one. It is noted that wherever the word "collective" appears in the DTPW "TRUP First Nation Report" of 25 Sept 2019, this refers to all of the First Nation representatives who participated in DTPW First Nation workshops of July and August 2019, which were inclusive of all who had identified with the TRUP site over the time span of the HWC "Section 29" Tribunal hearings in the matter of the "River Club", as well as any others who wished to attend the DTPW workshops. The term "collective" has subsequently been used by AFMAS in referring to a different grouping of First Nation representatives whom AFMAS dealt with in producing the LLPT "River Club First Nations Report". As noted elsewhere DTPW had no knowledge of how AFMAS approached the River Club First Nation project</p> <p>Noted, although it is not clear what the relevance of this is however. During the period June-September 2019 while AFMAS was doing First Nation reporting for DTPW, the TKLA was a Bill, not an Act.</p> <p>The Phase 1 HIA does not leave analysis of heritage resources to separate precincts. It devotes considerable effort to understanding and elaborating on the significance/s of the site as a whole (p19 – 24) before assessing the nature of significance/s at a precinct level.</p>
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	<p>design decisions “is most appropriately conducted at a precinct planning or project level.” This thread is then further elaborated in the AFMAS report. It is unclear how this HIA can hope to do justice to assessing the heritage resource that is the whole site if it leaves analysis of heritage significance to separate precincts.</p> <p>For example, it would seem obvious that a first step would be to undertake a heritage grading of the core of the Two Rivers Urban Park site. If you don’t ensure this grading is done for the whole site before any concrete is laid down, how on earth can one leave it to precinct studies to claim back protections? For example, with the River Club development, the HIA commissioned by the developer has completely ignored the very dense development imposed on the area and relegated questions of height and bulk to the later planning process, as if these were not material to the question of heritage protection on this site. So, we think precinct level planning processes should be informed by higher level principles – and these should ensure that, for example, a precinct level plan, cannot dispense with mandating height and bulk of a development to be considered relevant at project level. 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. Parts of the TRUP have been identified by the Department of Arts and Culture as part of a likely Liberation Heritage Route. A proposal has also been made within the Reference Group on State Land to the Minister of Public Works that the Two Rivers Urban Park (TRUP) should be recognised as a National and World Heritage Site. This is based on the recognition that development within the centre of TRUP will threaten the area’s heritage and environmental potential and fail to provide for social inclusion. It is inconceivable that the City’s LSDF should ride roughshod over heritage considerations. Grading of TRUP must therefore be a priority.</p>	<p>The methodology of phasing the heritage impact assessment has specifically been agreed with HWC. As noted briefly in this report, and elaborated in the 2017 baseline study, “A Notification of Intent to Develop (NID) was submitted in terms of S 38(1) and S 38(8) of the National Heritage Resources Act (Act 25 of 1999) on 18<sup>th</sup> July 2016. ... A subsequent meeting (19<sup>th</sup> July 2016) was held with officials from Heritage Western Cape to discuss a methodology and a way forward. It was decided in view of the complexity of the site, and because each precinct would be subject to a separate heritage impact assessment in terms of a phasing planning approach, a broad overarching HIA was required. It noted: “that a phased approach will be appropriate for this project. Specialist studies will be undertaken at a later stage in the second phase relevant to each precinct.”</p> <p>As part of the first (baseline) phase HWC required:</p> <ul style="list-style-type: none"> <li>• Identification of all heritage resources.</li> <li>• Identification of heritage indicators.</li> <li>• Requests for comments of registered conservation bodies and provision where available.</li> <li>• Request for comments from the City of Cape Town and provision where available.</li> <li>• An integrated set of recommendations.</li> </ul> <p>Precinct level HIAs will be informed by principles established at the ‘higher’ level – that is the purpose of this Phase 1 HIA. Further studies including HIA’s will follow. This methodology has been consistently stated through-out the s38(8) process. .</p> <p>See overarching response</p> <p>This has been acknowledged in the report. However, there is little further information from the Department of Arts and Culture in respect of the Liberation Heritage Route project and indeed the recommendations of this report are designed to prompt it.</p> <p>See overarching response</p>
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	<p>P16: 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 draw attention to the fact that the City initiated a co-design process for the TRUP in 2015. Instead of ensuring the expansion of that process to include as many voices as possible, the City closed down that process and has initiated a different process with limited participation. We are continually reminded by City officials that what they doing now is what they are legally obliged to do but there is no obligation on them to pursue anything that is more meaningful in terms of participation (this is very far down Arnstein’s ladder of participation<sup>1</sup>). There is a major disjuncture between what this HIA claims should be done and what is actually being pursued by the City, with its 60 days to comment approach.</p> <p>P16 The HIA notes that tangible heritage is easier to define than intangible heritage, which should be integrated “into later design and development planning.” It is unclear why the HIA accepts that intangible heritage should only be integrated into later design and development planning. Surely the purpose of a high level HIA is to ensure that intangible heritage is not treated as an afterthought but directly informs the overall SDF for the site?</p> <p>P19: In discussing the different heritage processes taking place simultaneously, the HIA offers the view that the HIA is independent of the HIA for the River Club development. It is puzzling that the TR LSDF HIA can take such a view, since HWC itself has repeatedly noted the importance of finalising the TRUP heritage grading before dealing piecemeal with developments within the broader precinct. It seems that it is very likely that a LSDF process under the City will pre-empt a decision by HWC with respect to protecting heritage resources in the site. This will be extremely unfortunate. If the intent of the HIA under the LSDF is to “ensure consistency and to comprehensively address the cultural and built heritage of the area” (as per TR LSDF) it is unclear why the City is not accommodating the fact that Heritage Western Cape intend to grade the area for Heritage status. Thus, while the LSDF and a Phase 1 Heritage Impact Assessment are being developed simultaneously, the City is also active obstructing Heritage Western Cape from protecting the River Club site in order to grade the area. This is inconsistent. The HIA should happen in tandem with a HWC investigation with respect to consider grading the site.</p> <p>P22: The report makes the statement that the reason the site still exists with its intense history and identity is “one of those happy accidents of historical development.” Nothing can be further from the truth. It is not an accident that development has not destroyed the site and planted concrete over any riverine open space. The reason is that planners recognised the importance of the site as</p>	<p>This comment specifically related to precinct level planning and implementation. Further comment is provided in the overarching response and, since this related to decisions made in respect of the LSDF process, reference must also be made to the TRUP C&amp;RR.</p> <p>See overarching response</p> <p>The quote has been taken out of context and should also include the following “These underlying historical and cultural diversities make it difficult to represent all heritage resources and issues spatially – the tangible aspects of heritage are easier to define. This limitation is therefore identified and underlines the importance of integrating the intangible into later design and development planning.</p> <p>These challenges should be viewed positively and as an opportunity to enrich the area in the further planning of the individual precincts.”.</p> <p>Moreover, this reports goes a considerable way to identifying intangible heritage, which is located upfront in all discussions and is not by any standards an after thought.</p> <p>This HIA <u>is independent of the River Club development process.</u></p> <p>The HIA is entirely linked to the preparation of the LSDF and as the integrated planning and heritage processes diagram on p7 of this report illustrates, it is intended that the submission of the LSDF for approval will only occur after HWC have issued its comment in this regard.</p> <p>This statement is not entirely correct (see overarching response in this regard).</p> <p>Noted and amended. However, this was a statement of significance related to the overarching <i>riverine systems in terms of the pre-colonial history of the site</i>, not to the River Club site per se</p>
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	<p>open space and the fact that much of it lies in a flood plain and zoned it such that no outsize development could destroy the remaining integrity of the site. Far from accident, it is was an act of human planning that foresaw the need to protect this space. The unseemly rush to undo those protections is also not accidental, but harbours very deliberate intentions which may not serve the protection of heritage well.</p> <p>The HIA appears to be silent on design indicators for development in the site. This is a problem. For example, on page 23, the HIA recognises that a first nation respondent in the AFMAS report highlights the importance of the location of ceremonies at particular points on the river when the sun sets on Lion’s Head during the equinox (page 23). 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. The proposed ecological corridor might address the faunal specialists’ requirements but does not respond to heritage informants that make reference to the need to maintain visual connections through to the Observatory Hill. One of the key gateways should be on the Vaarschedrift corner of the site where people will approach from the City. 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.</p> <p>Similarly, on page 37, it is argued that a network of <i>public spaces, landscapes and cultural spaces could most appropriately provide the opportunity to link the intangible and tangible heritage related to the site</i>, and would be sufficiently open-ended to accommodate any future, more considered and consultative project input from any relevant parties.” How is it possible to conceive of such a network being able to function as signifiers of heritage if no attention is given to the developments taking place around such public spaces and landscapes? For example, the River Club development is planning to juxtapose buildings that are 25m, 32m and 47m tall in proximity to a memorialising space for first nation heritage. The HIA appears to skirt around these issues without wanting to set down clear criteria for design that would protect intangible heritage. If a small amphitheatre 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.</p> <p>P29: The River Club and Vaarschedrift site is noted to be “of very high symbolic and associational significance” and “should be investigated for archaeological potential.” Later, on page 42, the HIA notes 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. Are we expected to wait until front-end loaders turn up evidence of human remains? It is surely impossible to understand what</p>	<p>The HIA provided extensive lists of high level development (alternatively design) indicators (the words are generally interchangeable) for the site as a whole and for individual precincts on pages 37 to 47. This is also based on the understanding that precinct level projects may identify further more detailed heritage related design indicators.</p> <p>See further overarching response relating to the River Club</p> <p>See overarching response in this regard.</p> <p>It is neither feasible nor useful to undertake a pre-emptive and comprehensive archaeological screening or survey of a site as large as this. However, the input of archaeologists has played a significant role in the identification of heritage significance, particularly that relating to the pre-colonial landscape. In particular, reference is made to Annexure A of this report, which includes a document dated November 2015 and entitled “The First Frontier: An assessment of the Pre-Colonial and Proto-Historical Significance of the Two Rivers Urban Park Site”, prepared by ACO Associates - Archaeology &amp; Heritage Specialists. As this report states:</p>
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	<p>archaeological findings would be impacted on by proposed developments unless a comprehensive archaeological survey is completed. This should be an urgent priority recommendation. 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. This is a major flaw of the TR LSDF and is not highlighted as a problem in the HIA, which it surely should be.</p> <p>P37: The HIA notes that “The Two Rivers site is of outstanding cultural 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.” If this is the case, it is puzzling why no comment is made by the HIA about the fact that the River Club development proposed to create an artificial river course out of the canalised diversion of the Liesbeek and plans to</p>	<p>“In reconstructing a picture of circumstances at the Cape prior to, and during the first occupation of the Cape by the Dutch East India Company, information can be deduced from the archival and archaeological records. The archival record is, in this instance are biased towards the European nations as they have a legacy of written word, with the DEIC as arguably the most fastidious of them all. Notwithstanding detailed record keeping, an archive is always limited in that it makes a selection of what to record, what records are preserved and our ability to interpret them. The archaeological record is equally limited in that it is sometimes hard to recognise, is easily destroyed and even harder to interpret.” (p6)</p> <p>“The archaeological record has restrictions which are inherent. In particular, with respect to highly mobile herding communities who seldom spent enough time in one place to leave an identifiable archaeological signature” (p8)</p> <p>Nonetheless, “The historical evidence is cohesive enough to confirm that the TRUP forms part the first frontier between the Dutch colonists and the Peninsula Khoikhoi. This historical landscape extends from the Salt River Mouth and follows the Eastern side of the Liesbeek River through the Observatory land, Mowbray, urban Rondebosch to the Bishops court area. The archaeology of this frontier has proven to be very sparse, and as to date no physical evidence of the watch towers, forts, or the palisade fence have been found, however it is not impossible that evidence will in time be uncovered. (p23)</p> <p>In conclusion, it is noted “In the absence of any archaeological evidence to date, the rivers, the wetlands and confluence and river-side pastures are the remnants of the early cultural landscape. ... Any open land within the study area (including Hospital and Observatory land) should be considered to be potentially archaeologically sensitive and should be screened/surveyed <i>before any transformation or development</i> (p24, my emphasis)</p> <p>Additional archaeological information was included in Annexure B TRUP Baseline HIA. Whilst it is noted that no precolonial archaeology on the site has been recorded, archaeological sites are identified as including early historical archaeology at the demolished farms at Malta Farm and Vaarschedrift and the potential sites of the early 17th century redoubts. These have been identified <i>where known</i> and included in a diagram of historical archaeological potential, which is also included in the Draft Phase 1 HIA of September 2019.</p> <p>This approach is standard professional practice and the view of the OCA is contested.</p> <p>See overarching response in this regard. It is further noted that heritage in this section related to intangible heritage, a <i>landscape memory</i>. The current visible landscape has little direct authenticity in this regard. In order to celebrate (rather than reinstate) the pre-colonial heritage significance of the site, it is indeed</p>
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	<p>fill in the old course of the Liesbeek north of station road. The confluence of the canal with the Black River is not the real confluence of the rivers. Can one reinvent an authentic connection to the river by redesigning an artificial canal as a river (page 43)? One would expect the HIA would engage more profoundly with such question rather than accept the kind of conjured heritage manufacturing proposed at the River Club.</p> <p>P40: 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.” This is all well and good, but what exactly is ‘appropriate development’ and what design criteria can be put in place to ensure that the so-called SPLUMA priorities for access to jobs and affordable housing, cannot be used as an excuse to destroy heritage for private gain or for short-term public good. For example, rather than timidly suggesting that heights and densities “<b>should be sensitive</b>” to the various important views on site, the HIA should categorically insist that heights and densities <b>must be respectful</b> of local, indigenous heritage considerations.</p> <p>P44: Comments on Open Space linked to the Black River. The HIA argues for retaining the Green Open space and context to the Oude Molen complex, retention of its ‘rural’ historical quality, providing opportunities for current recreational and social/cultural uses and using land toward indigenous allotment gardens. This is much welcomed. Even Valkenberg receives a recommendation to retain the green landscape. Yet such considerations appear to completely absent when discussing developments on the Liesbeek in relation to the River Club. Notwithstanding the fact that the owners have proposed a very dense and high set of buildings, we would still expect the HIA to independently set parameters for what could be supported.</p> <p>P48: The HIA repeats the assertion made in main LSDF document that the previous vision for TRUPA was no longer appropriate but does not substantiate this argument and most certainly not on heritage grounds.</p> <p>P58: Distributed space for memorialisation. How will such distributed space provide an integrate heritage experience.? A memorial here, a museum there, can</p>	<p>necessary to create anew. This can however only be undertaken through engagement with the custodians of such heritage. As the Draft Phase 1 HIA states (p58): “The associations of the site are historically, and in many respects currently, one of dispossession, exclusion, marginalisation and loss. Recognition and redress must be at the core of any heritage sensitive planning process.</p> <p>Heritage is a creative process, not only about recognising the history of a place, building, or community, but more importantly about creating a new, vibrant future. For buildings, this is called “adaptive re-use”, and there good reason at the Two Rivers site that the term “adaptive re-use” can also be usefully applied at planning level. At this site, the “wholeness” of the site experience does not currently exist robustly at all: an integrated planning and heritage (<i>inter alia</i>) design process holds the possibility to create a better future for the site. AFMAS (TRUP First Nations Report, the Second Supplementary Report to this Phase 1 HIA) has presented in his work the concept of a heritage matrix which can attend to First Nation issues. This indigenous heritage underlies all site precincts; the heritage matrix idea provides a spatially rich concept for linking the sites.”</p> <p>This is the purpose of overarching and then detailed heritage indicators and subsequent impact assessment.</p> <p>The suggestion is noted but this practitioner differs on this matter. It is not useful to be too prescriptive in a broad-brush assessment and outcomes based indicators are more useful to stipulate than prescriptions relating to exact height and density which cannot be formulated except at project level.</p> <p>Whilst the river corridors areas (including an historically ever changing confluence) are identified as being of significance; as is the ‘deep’ intangible heritage significance relating to pre-colonial history which includes, but is not limited to the River Club site; the open spaces of the River Club site (excluding the riverine corridors) are in and of themselves not regarded as having any heritage significance.</p> <p>The HIA does propose heritage indicators. See overarching response in this regard.</p> <p>This section is merely a summary of the LSDF document and is not for the HIA to substantiate.</p> <p>Distribution of memorialisation opportunities does not necessarily imply lack of integration. The recommendations of this report specifically require that such proposals be developed at the level of the whole site in order to limit</p>
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	<p>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 banal opportunities to reflect.</p> <p>P58: The HIA report appears ambivalent as to the role HWC should play role in overseeing heritage protections in the area. It is important the HIA recognise HWC's statutory responsibilities, which would include overseeing heritage protections in the area. This is exactly what was the intention of HWC issuing a provisional protection order for the use pf the River Club. Yet no comment is made in this HIA on the fact that the City opposed HWC's Provision Protection Order on the River Club. This is HWC's mandate and it should not be 'suggested that HWC play a part in facilitating' but rather that HWC's mandate be recognised. Playing a part in facilitating is to disempower a statutory body whose mandate is to do exactly what is proposed in the HIA. Its conclusion (on page 63), the HIA lists HWC as one of three partners in engaging with DCAS to fund and initiate "a proposal for the cultural heritage project for the entire Two Rivers site ... in order to indigenise the study area landscape." This is a strange conception of how the project should be led. Given that HWC has been blocked from conducting a grading of the site, by the very proposed partners in this project (City and DTPW), we have little confidence of a functional partnership emerging from such a recommendation. A conclusion must surely be that HWC must complete its grading of the site – especially since it is agreed (on page 19) 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>P59: It is further suggested that the AFMAS report be 'built on' in order to pursue this project. We want to put on record our concerns about the AFMAS consultant. The same consultant that is part of AFMAS has also been working for the River Club developers as a heritage consultant. There, he has produced a piece of work that seriously undermines one Khoi house (that happens to be highly critical of the River Club development) by inserting WhatsApp images without any context or opportunity to the particular Chief to clear his name. The impact is to exclude that individual from speaking with any authority to represent Khoi perspectives. This is particularly ironic, given his confirmation under Assumptions, Limitations and Exclusions in this report (page 1), that it was not the brief of the project, nor its prerogative, to determine who constitutes the First Nations, and how membership or inclusion in the First Nation community was determined. We believe that the consultant has an irremediable conflict of interest and his professional judgement to provide an impartial assessment for an LSDF cannot be assumed, given his work for the River Club.</p> <p>P60: In assessing the River Club site, the HIA report states that "It is accepted this site is one of the few areas available for re-development." It is unclear how the HIA can come to this conclusion since no evidence is presented in the HIA that this is the case. The area is currently zoned Open Space for the reasons identified</p>	<p>fragmentation. Moreover, the Report also reiterates the importance of acknowledging all historical associations with the site or parts of the site, not only that pertaining to the First Nations</p> <p>There is no ambivalence. This section related to a proposed project to identify the provision of a network of public spaces and places across the site which could embody the intangible heritage of the area in all relevant respects. Commissioning such a project is not ordinarily the role of HWC.</p> <p>This section is not to be conflated with a discussion on grading (presumably the OCA refers to formal protection)</p> <p>See overarching response in this regard.</p> <p>WCG and the CoCT agree with concerns raised about the AFMAS consultant, which were first raised at the Two Rivers/TRUP public open day on 20 Nov 2019. DTPW Special Projects team provided spoken comment on 28 January 2020, when present as an I&amp;AP at the HWC: IACom meeting for hearing comment on the Supplementary reporting for the "River Club" project, that no DPTW official had any knowledge that the AFMAS consultant had done work for the "River Club" (i.e. until such time as Mr. Jenkins, the High Commissioner of the Goringhaicona Khoi Khoi Traditional Council raised the issue on 20 Nov, as noted above). The CoCT/DTPW cannot speak on behalf of the River Club or AFMAS regarding the River Club First Nation reporting. It is noted that for the TRUP First Nation reporting, which was completed ahead of the River Club reporting, any group or person who identified as a First Nation representative with an interest in TRUP was included in the research process</p> <p>This is based on the reasoning presented in the LSDF and supported in this HIA. The difference of opinion with the OCA is noted.</p>
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	<p>above. None of the first nation informants distinguished between the River Club and the broader precinct; if anything, the confluence of the Rivers, which is where the River Club is located, is highlighted in their narratives. One would expect a HIA to be independent of the pressures put on the precinct by private property owners to develop their site.</p> <p>The HIA goes on to state 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.” 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 or 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. Rather than arguing what would mitigate heritage impacts, the HIA should be pointing what should not be done under any developments in the area in order to protect heritage.</p> <p>P59: 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.” 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>First Nation Report  P6 – 9: Place making examples. We note that no South African examples could be identified. This is not surprising given South Africa’s long and racist treatment of First Nation peoples. We hope this will start to change now. It is interesting that the international examples cited of how First Nation culture is celebrated are examples of the use of public open space to do such space-making (Pictures 6 to 9). The fact that intensely developed urban spaces do not feature is perhaps a warning that it is much more difficult to do authentic heritage place-making in such an environment.</p> <p>P16: Legal context for addressing intangible heritage. We welcome the attention to UNESCO’s Convention for the Safeguarding of the Intangible Cultural Heritage, the provisions of the National Heritage Act and the Draft National Policy on South African Living Heritage.</p> <p>Pages 21 to 31 We commend the consultant for presenting the voices directly, which provide a rich narrative on which to draw inferences. The material is very rich and very helpful.</p> <p>P32: The report notes that “In the indigenous narrative, the entire TRUP landscape is the element of memory” but goes on immediately to speak of “a</p>	<p>The comment is noted. However, there is a difference of opinion on the intrinsic heritage significance of the River Club site and this assessor continues to maintain the position outlined in this Report.</p> <p>See overarching response in this regard.</p> <p>Precedent provided in the report includes the Newtown Cultural Precinct in Johannesburg, and the Langa Cultural Precinct in Cape Town. Many of the precedent studies are in fact in urban (including dense urban) spaces, this is not an appropriate conclusion to draw.</p> <p>Noted</p> <p>Noted</p> <p>The quotes are merely designed to represent essential elements of the discussion. There is <i>general</i> agreement amongst the First Nation representatives engaged in this process that the landscape is transformed. Also that the pre-colonial landscape includes and indeed extends beyond the site.</p>
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	<p>all First Nation respondents in this report but simply states this is what the First Nations want. Given there is no evidence that this (distributed place-making) is actually what they articulated, this statement is extraordinary in its inaccuracy and sweeping claims.</p> <p>P32: Heritage Related Design Informant - The report argues that the principle of “acknowledging, embracing, protecting and celebrating the indigenous narrative” should inform planning at different scales. We agree with this important principle but the report cites only planning at local and precinct level planning. It does not recognise the need to establish parameters for the entire LSDF. Why is this important? Because at precinct level, we can see that heritage protections are far weakened – as evidenced by HWC’s investigation of a Provisional Protection Order for TRUP and by its subsequent declaration of a Provisional Protection Order for the River Club site – which it did because of the imminent threat to heritage and the need to grade the entire TRUP area. In the latter case for the River Club, the Site Developer HIA completely ignored the very dense development imposed on the area and relegated questions of height and bulk to the later planning process, as if these were not material to the question of heritage protection on this site. So, we disagree that this principle should not be applied at the level of the LSDF itself for the Two Rivers, as implied.</p>	<p>This is not correct. Indicators including those pertaining to the indigenous narrative, <u>were</u> established for the entire area, see pages 40 – 46.</p>
<p>Two Rivers Urban Park Association</p>	<p>We note that this is the same number Case <u>16071903</u> that was used when the ‘Two Rivers Urban Park’ <b>Baseline Heritage Report and the Supplementary reports</b> were submitted in 2016 and 2017 (now repeated). No consulted renaming of TRUP or Ndabeni Triangle has occurred since the Co CT adopted the Contextual Framework for TRUP in 2003, nor since the TB District Plan of 2012, which are still in place. We reject “2 R” since it clearly indicates an underhand attempt to undermine the current Urban Park status that is in place. T R U Park Association always clearly stated that we never regarded Ndabeni Triangle as part of T R U Park! <b>TRUP+Ndabeni</b> (TRUP’N) seems a reasonable name for this study area, so we will refer to it as such (Not 2R).</p> <p>There is no statement that when the Supplementary Baseline Report was submitted by MA as requested by IACOM, there was no opportunity given to us comment on that in public forum. No update is stated also about why that completed work was not submitted to IGIC so that Grading could be considered for TRUP.</p> <p>No mention is made of notices about the Significant Heritage of TRUP nor that there was not an inclusive process in consultations with First Nations representatives and other interested parties regarding the updated Baseline study, since that was promised when our requests to comment were deferred. It should also be noted that Heritage issues impacting Two Rivers Urban Park are not only relevant to the Cultural Heritage and history of particular first Nations Groups, historically, but that HERITAGE is much broader than that, including the natural heritage, general human Heritage and that all this is Our Heritage, not just a few blood line descendants who are also important...</p>	<p>See overarching response in this regard.</p> <p>This current process is precisely the opportunity to comment on the entire HIA document, including the Supplementary Baseline Report and the Supplementary First Nations Report, the latter being commissioned in the intervening period.</p> <p>Ibid</p> <p>Agreed, and the report specifically acknowledges this.</p>

	<p>In the same vain, we also question the closed nature of “TRUP FIRST NATIONS REPORT” as documented by Rudewaan Arendse of AFMAS Solutions dated 25 September. We have to question why this document is as narrow as it is, How objective is it, as a reliable informant on its own in this form to inform TRUP Heritage?</p> <p>How is it that, on the one hand one sided recommendations are made for both “renaming of TRUP and for indigenising of the TRUP landscape” yet on the other hand no opportunities are given to comment on this?</p> <p>The statement is made that the Name TRUP is “misleading”, and that there is “intense contestation”, implying that large groups of diverse people, including planners, City and Prov Gov, environmental groups, Civics, First Nations Reps etc, over the last 21 years, were somehow not aware that “TRUP is not a homogenous area” and that we, somehow did not recognise that diversity! This is misinformed! It is also misinformed that the name TRUP was ever intended to be used to include the Industrial Areas of Ndabeni Triangle which, was already stated, was added to the study area in 2015 and it was NEVER a Park! Please take the trouble to read the Contextual Framework LSDF that clearly defines what TRUP is!</p> <p>It is stated that the author is of the opinion that this combination of TRUP and Ndabeni should be renamed and we disagree! TRUP and Ndabeni are two different places. One is a park, with significant historical facilities that are inside the park area, and the other is a underutilised industrial area with a history of being an a site of forced removals that stakeholders agreed should be a place on mixed use affordable housing , some commercial use and some light industry (not a park!) Similarly TRUP is not a shopping district. We are troubled by: “The site at this stage, simply be referred to as Two Rivers”</p> <p>On pg 9, point 5 it refers to “heritage related design informants(HRDIs), informed by indigenous narrative based on interviews with ten Chiefs, paramount chiefs etc but one has to ask, why this happened without considering broader opinions, and also recognising that HRDI’s are not only the domain of 10 Chiefs and not other factors? To add to this, no open commenting process on these interviews or how it was collated?</p> <p>This assumed notion of a “First Nations Collective” is a very dubious concept when there is a lack of openness about how this is recorded, what is left out and what independent credentials determine this? Whose heritage is this Cape Natural Destination and what is recognised as included and what is not?</p> <p>To refer to this historical, Cultural Landscape that is also environmental heritage since the beginning of time, as “that this remaining –fragmented-landscape, be authenticated as an indigenous commemorative landscape with distributed spaces of engagement and indigenous place making, spanning different</p>	<p>The brief was not closed, it was targeted in line with Heritage Western Cape IACom’s requirements. Throughout the preparation of the Heritage Baseline Report (Feb 2017) and its supplement (Oct 2017) by M.A. and Associates, in respect of this site (and associated planning reports), direct input by First Nation representatives was regarded as a significant gap. The AFMAS brief was to rectify this. All other aspects of heritage remain acknowledged in the HIA</p> <p>This is the opportunity to comment.</p> <p>Noted. See overarching response in this regard.</p> <p>Noted. See overarching response in this regard, and note that the importance of special open spaces within the study area is acknowledged in the LSDF and this Phase 1 HIA. The future naming process, as motivated by First Nation representatives is supported by this author. The inclusion, or not, of the word “Park” is not something that this HIA determines. The LSDF and this accompanying HIA draw attention to the fact that the TRUP holds already a string of open spaces, which can be better linked to form a system of parks. Maitland Village, Valkenberg Hospital and other places within TRUP are not “parks”.</p> <p>See comments above</p> <p>See comments above</p> <p>It is not clear what is being suggested here. But a response to a similar comment by OCA above is reiterated: Distribution of memorialisation opportunities does not necessarily imply lack of integration. The recommendations of this report specifically require that such proposals be developed at the level of the whole site in order to limit fragmentation.</p>
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	<p>precincts” needs careful qualification about what is suggested!! For example, the notion of fragmentation!</p> <p>It seems that attempts by certain parties who have been attempting to negotiate transformation of this unique Cape Heritage Environment whole doing so in an exclusive closed group who have in part been absent is totally unacceptable since there are many I&amp;APs who also have what to contribute and should not be excluded from such a process that is not afforded to others! We reject this destructive methodology.</p> <p>Access to this TRUP is and always should be open to all, while giving all First nations a respected role.</p> <p>We do not support the compartmentalisation of different ‘landscape character areas’ of the TRUP Cultural and Environmental heritage Landscape as suggested on pg 16, where it is stated (without quotation as to who expressed this questionable opinion? It should be seriously questioned whether “value-laden lines that designate formal political &amp; economic divisions between “outsider-designated imposed territorial units” We as consulted stakeholders have a very different view of TRUP !</p> <p>Our consulted stakeholder view of TRUP is as a integrated, Urban Park (separate from Ndabeni that is not a Park) The integrated Park has not yet been fully realised and as such has not achieved its intended vision. A. Liesbeek River green valley corridor, wetlands and fields, includes the green open spaces on each side; B. The Black River green valley corridor, wetlands &amp; fields, includes the green open spaces on each side; C. The Sacred Confluence Flood Plain and wetlands where the recent 1956 overflow flood canal cuts through D. SAAO/NRF Grade One Hill that is a central sacred place, part of the Cultural Landscape now like an island; E. Valkenberg Hospital within the Park with open accessible parts while closed secure parts, much reduced; F. Eastern parts of Alexandra Institute condensed while Niewe Molen facilities being fully integrated in Park; G. Maitland Garden Village to be well linked yet clearly differentiated in part from the Park, with fields west; H. Oude Molen Ecco Village is fully integrated into TRUP and kept open to all but with security at night etc.</p> <p>To begin, we think you should be aware that:  <b>A. TRUPA recently submitted OBJECTION &amp; COMMENT Re <u>BAR/HIA</u> Via SRK CONSULTING:</b> Report 478320; HERITAGE WESTERN CAPE: case no. 15112504WD1217E: DEA&amp;DP Ref: 16/3/3/6/7/2/A7/17/3104/16; DWS Ref: 16/2/7/G22/A/11 &amp; WU9026 River Club, CITY OF CT <u>ERF. 151832</u>, plus <u>Erf 26426</u>, <u>ERF 108936</u>, <u>Erf 26427</u>, <u>Erf 15326 Rem</u>, <u>Erf 26169</u>, <u>Erf 26170</u>, <u>Erf 26171</u>, <u>Erf 26172</u>, <u>Erf 26173</u>, <u>Erf 26174</u> and <u>Erf 26175</u>) to the Pre-Application to develop the River Club site with adjacent sites that include a vast range of supplementary documents including the HIA and other material strongly objected to before! [Now 21 Hectares!]</p>	<p>See comments above in respect of the outstanding gap in input from First Nations representatives (which local community groups have previously acknowledged and utilised in their own comments). This current PPP process was the opportunity for all then to comment on the consolidated and updated HIA.</p> <p>There is no disagreement with this comment, nor does the HIA or the LSDF exclude all other interests in favour of only one grouping.</p> <p>The Landscape Character Areas have, throughout the heritage assessment process, been utilised to describe the history and heritage of the site. There are a number reasons for this and these are articulated at various points through-out the HIA. The point about the pre-colonial significance of the site underlying all later developments was made clearly by First Nation Representatives and is considered a valid point of view.</p> <p>Noted. These proposals will be addressed in the LSDF responses to comments.</p> <p>Noted. This practitioner is aware of the TRUPA objection in this regard.</p> <p>Noted.</p>
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	<p><b>B.</b> The formation of <b>TRUPA and its Constitution</b> was the outcome of the process as set out in <a href="#">The Two Rivers Urban Park Contextual Framework and Phase 1 Environmental Management Plan, Final Report</a> (CF) of 2003. “The aim is to protect and rehabilitate ecological systems and to encourage mutually beneficial relationships between people and protect the natural environment, recognized as critical to sustainable development of the city, and hence is a central concern of local government.” The park includes sensitive ecological systems, wetland habitats, extensive open space areas, significant institutions, historical buildings, land of priceless heritage value and unique cultural landscapes associated with these special Cape Rivers. TRUPA has an advisory role and representative of I&amp;AP Stakeholders concerns, as custodians managing TRUP.</p> <p><b>C.</b> Many of us have been involved with <b>TRUP</b> since the first consultations 21 years ago and more intensely again since 2015 when we entered into consultations with the stated intention to review the potential of TRUP and its founding documents that remain in force and backed up by the revised Table Bay District Plan, the Existing Zoning Guidelines, Heritage Baseline Reports and numerous other guidelines and policies that guide and constrain the T R U Park and River Club site although it is a great concern that much of these are mostly brushed aside by the application which is clearly <b>non-compliant and FLAWED!</b> At every step along the way, we have stated, that we are supportive of appropriate sustainable development that is in line with the established Contextual (LSDF) Framework that remains in force, as adopted by the City of Cape Town in August 2003 and the supported Draft Manifesto of 2016.</p> <p><b>D.</b> TRUPA have been open to participate in <b>serious consultations and Co-Design workshops</b> to update and review all policy as it affects T R U Park + Ndabeni , based on all existing established principles as adopted! We strongly insist that TRUP is a significant Heritage Area and needs to be urgently GRADED. As has been stated and is obvious from all the research, it is at least a Provincial Heritage Grade, up to World Heritage!</p> <p><b>Our WRITTEN SUBMISSION ON ‘NEW INFORMATION’ and the ‘MERITS’ is as follows:</b></p> <ol style="list-style-type: none"> <li>1. Liesbeek Leisure Property Trust (LLPT), <b>PRE- BAR application</b> has met strong objections, 500 rejecting it.</li> <li>2. <b>HWC’s IACOM response</b> to the LLPT’s HIA Report on River Club site was a <b>scathing interim report on it.</b></li> <li>3. <b>HWC Council 2019 Meeting</b> to review Gazetted S 29 Provisional Protection was to uphold its decision.</li> <li>4. <b>TRUPA and all I&amp;AP- stakeholders</b> we represent have firmly resolved that grading of TRUP is Urgent.</li> <li>5. <b>TRUPA</b> has recently held its 2019 AGM, affirmed its mandate and has a consolidated <a href="#">new committee.</a></li> <li>6. There is a strong broadly supported Campaign asserting multiple <a href="#">voices to oppose the destruction of the Liesbeek Riverine Valley</a> and Confluence with Black River including all open green space in TRUP that has heritage and that are essential, Integrated Cultural and Environmental Landscapes in the Park, that</li> </ol>	<p>TRUPA has an advisory role but have not been assigned custodianship of the area.</p> <p>See overarching response in this regard.</p> <p>A contextual framework is not an LSDF</p> <p>See overarching response in this regard.</p> <p>See overarching response in this regard.</p> <p>It is assumed this related to the proposed development of the River Club site. See overarching response in this regard.</p> <p>See overarching response in this regard.</p>
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	<p>must be protected from INVASIVE DESTRUCTIVE DEVELOPMENT, disregarding the nature of this protected place!</p> <p>7. TRUPA, representing many I&amp;AP Stakeholders supports the simple and logical need <b>to carefully Grade this significant site in detail</b>. We believe grading needs <i>to be done together, by HWC, SAHRA and UNESCO!</i> <b>Public consultation must be ongoing and heard as essential to reduce THREATS</b>, so <u>Co-Design can return!</u> The 'Contextual Framework' LSDP is the founding document for Two Rivers Urban Park, set up over 5 years by the City of CT with intense Consultation and a social contract with I&amp;AP Stakeholders.</p> <p>8. Most of TRUP including the majority of the <u>River Club site has almost no existing development 'rights'</u> at all. See Contextual Framework &amp; Zoning of Site. Two Rivers Urban Park Association was set up by City Legal Department, per TRUPA Constitution to uphold, restore and preserve TRUP as per Contextual Framework.</p> <p><b><u>TRUPA members and the I&amp;AP stakeholders are very strongly opposed to unsupported changed names or Rezoning / Departure Applications that are totally noncompliant and disrespectful of constraints for the site. TRUPA oppose disregard of the highly significant HERITAGE and Historical significance of the TRUP site!</u></b></p> <p>We oppose unsupported development in TRUP, and particularly not to have negative impact on the '<b>Sacred Ancestral Confluence Flood Plain Site, any TRUP open space suitable for Conservation of the Environment</b>'. The Rivers and Confluence Precinct is noted as Sacred Ancestral Commons Space where special Spiritual Ceremonial Events took place. It has great significance to First Nations people AND the place is protected as open space for CONSERVATION of the Environment. It is noted in the 2012 <u>Table Bay District Plan</u> as Open Space 'Natural Destination' in Two Rivers Urban Park, protected for our City, along with Signal Hill etc.</p> <p>Co-Design workshops with further localised detail updated Precinct Plans were interrupted early in 2017 and since then seriously interrupted by the THREATS that disregard policy and disregard the current Frameworks.</p> <p>It is only reasonable and in line with Heritage Policy that <u>HWC is responsible to grade the ungraded TRUP site</u> in a similar manner like the SAAO /NRF Hill site that is part of this Integrated Historical Cultural Landscape!</p> <p>It would be unacceptable for a proposed Update LSDF on the TRUP + Ndabeni to simply follow blindly what is proposed by the LLPT's application that is so non-compliant and for another Heritage Practitioner to follow that discredited HIA that <b>disregards most of the significant heritage</b>, including undermining the authentic Liesbeek River, its original course that has been seriously and <i>falsely misrepresented</i>, (including that the "Liesbeek River ceased in 1952 and that the Flood Canal is the only heritage in the north of TRUP"! ) It is shocking that this 'independent HIA' simply swallows this trash as a given, making it seriously FLAWED!</p> <p>There are a whole range of Heritage characteristics of the TRUP site, both tangible heritage of the existing integrated cultural landscape that is experienced</p>	<p>See overarching response in this regard.</p> <p>Noted.</p> <p>Noted. This Phase 1 HIA accompanies an LSDF, which does not assign any development rights, supported or otherwise</p> <p>See overarching response in this regard.</p> <p>The assessments provided in this Report and supporting annexures was based on independent research, much of which was conducted prior the River Club development proposals being made public. A congruence of opinion on other historical research and assessments can in no way imply a lack of independence. It is noted that the Liesbeek Leisure Property Trust (LLPT) have provided comment on the Draft LSDF, and that they, like others, do not support all of the recommendations of the LSDF. All comments submitted during the public commenting period are considered on their own merits.</p> <p>This is acknowledged and all aspects of heritage addressed in the report.</p>
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	<p>as relatively unchanged, and other historical intangible aspects of Heritage that are as important to enable to be history to be memorialised, not compromised.</p> <p>It is plain to see that this above <i>misinformation</i> is simply being copied, even as statements are made that “The historical significance of the site is complex, diverse and multi-layered”!</p> <p>We cannot agree that “successive historic ‘terrace’ of time-provides other more visible layers to the landscape, obliterating its earliest manifestation”(on pg. 3). We would rather suggest that all past layers are present and have remained as tangible in the context of the relatively timeless remaining recognisable historical cultural landscape and remnants of the same historic rivers.</p> <p>All this heritage environment needs to be restored and exposed as history and memory, but it is NOW that this heritage however imperfectly retained, is all being seriously THREATENED with obliteration. Everything that is present tends to be perfectly recognisable, enough to look back as if beyond thousands of years. Unfortunately it could all disappear under thousands of cubic meters of fill plus incongruous massive concrete buildings that have no place intruding into this space at all!</p> <p>We question the argument that “further layers of significance may be revealed in later precinct level studies and engagement with stakeholders” since it cannot be acceptable when we I&amp;APs have been engaged in these issues for 21 years! Many reasons have already reached a consensus view of what should generally not be intruded on, and what be dealt with in highly sensitive ways!</p> <p>The past is important and we have substantial evidence that shows how unique and significant it is. There is also the present where <b>conservation must be taken seriously to prevent harm, to restore the environment and the biodiversity, to protect the heritage and the future</b>, by noting how this place will be when the future generations inherit it as heritage, or will it be highways and shopping centres that destroyed the park and destroyed the planet???</p> <p>Being aware of the high significance of this TRUP place as a historically and as an environmentally significant place is not involving bias! What may involve bias, is how one responds to this fact!</p> <p>When one reads this Phase One HIA one finds many well considered insights, many of which we have read before, however when reading section 9.8 on page 45: <b>Varsche Drift and the River Club</b>, one may need to seriously question what bias actually exists for a Heritage Practitioner to adopt such an outlook on such a highly significant part of TRUP! We have substantial evidence of the huge heritage significance of this site from numerous sources, other than the LLPT HIA. The text states: “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.” This is strongly rejected as a seriously <b>FLAWED</b> statement! It is this open space</p>	<p>This is not ‘misinformation’ but a statement of fact.</p> <p>This must remain a difference of opinion.</p> <p>This presumably refers to the River Club, see overarching response in this regard.</p> <p>Regardless, engagement has remained at the level of the site as a whole and detailed, professional heritage based assessments have not been undertaken for many of the sites. Where they have (such as components of Valkenberg), these have been included in the statements of significance and the heritage informants.</p> <p>See previous statements in this regard and overarching response.</p>
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	<p>flood plain that is one of the most tangible integrated cultural landscapes connected to the special hill that overlooks the confluence or the Liesbeek and the Black rivers, with the known onlt crossing route in and out of the peninsula and the site of the First Frontier to block that route, extending also all the way up the Liesbeek River. This unique confluence site is highly significant in other ways. What does it say, when use is made of a phrase: "Relevant Parties to collaborate with? (9.8 pg 45) Why mention only Varsche Drift crossing area over Liesbeek River when the actual crossing goes across the whole River Club Site after crossing Black River just below Oude Molen?</p> <p>How can this statement continue with "appropriate development form" and "Development should not overwhelm the riverine corridor ..." when this River Club site does not have any development rights! It is zoned open space for conservation of the environment! This is both in the existing LSDF and the District Plan. It is also zoned in this way! The fact is also that this is a riverine flood plain and a significant heritage site! The regulations do not permit development unless by special permission and the fact that there are no development rights or permission to add much coverage beyond existing foot print that covers the aquifer, plus the fact that no substantial new development may be added into a such area even if it only floods every 100 years. It will flood much more often!</p> <p>To state that "the hill is of exceptional historical and landmark value and is highly sensitive to large scale adjacent developments which may adversely affect the nature of its topographical significance is highly irregular when at the same time seemingly no recognising the exceptional historical landscape value of the River Club Flood Plain site itself that is as significant as integrated confluence open space that needs to be protected as open space and is protected as such!</p> <p>How can an independent Heritage Practitioner attempt to disregard the value of this site, to confer development rights to the LLPT who have no development rights! Respect for the heritage is lacking It seems very odd to suggest that an existing 'view cone' towards Nieuwe Molen "be established" unless it is as it seems, that this opinion is being stated as <i>giving rights to do illegal development on such a pre-colonial site</i> that is also the site of the first conflicts, against all limits to do so, as long as it retains the view of an old colonial mill in the distance! (This shows serious bias!)</p> <p>This bias continues when referring to "the northern and western edges" stating that it could differ, "associated with existing development", compared to "those that currently related to the green and cultural elements and <i>features of the study area within the River Corridor</i>". What is being said and what is meant by "the River corridor"? Noting that there is the Black River and the Liesbeek River that has been disturbed and needs to be restored, (and there is the 1956 flood canal.) What is being referred to when stating in 9.9: Development proposals should consider the scale and grain of the HPOZ of Observatory? and, "Development proposals should use historic precedent and engage with the river corridor in terms of orientation towards Liesbeek River"? There are no existing rights to</p>	<p>See overarching response in this regard</p> <p>See overarching response in this regard</p> <p>See overarching response in this regard</p> <p>This and the remaining comments essentially represent a difference of opinion and there is little point in restating the Draft HIA. The comments should be read in full by the authority and taken into consideration in the decision-making process.</p>
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	<p>build along the Liesbeek River that is a noted heritage resource so why is a heritage consultant acting to encourage deviance towards such desecration? It starts to become clearer when looking at pg 47 which shows that the real Liesbeek River is not seen as a river corridor, simply adopting the madness of developer self-interest above heritage!</p> <p>Why would an independent Heritage practitioner (See 10.1 on pg 48) also reprint the objectives of an LSDF that misinterprets the 2018 MSDF and the 2013 SPUMLA? Is there no integrity, to be properly informed that the MSDF can in no way justify illegal and non-compliant building that is destructive of heritage and such sensitive protected environment? While SPUMLA does among other things require attention to "spatial Justice, spatial restructuring and spatial equity" it is a sickening thought that anyone could suggest that permanent destruction of a significant heritage environment that is a declared open space for conservation of land where first Nations were butchered and evicted from their ancestral sacred land so this be given to profiteering of mega wealthy developers with no rights to do so nor any sign of doing any social just act even if it was permitted or worthy in other respects. Sorry but this attempt to refer to SPUMLA here, is a zero!</p> <p>In addition, to state a totally false perception of "the previous vision of the study area: TRUP &amp; Ndabeni, as: "promoted as a New York style Urban Park, with green park core and high rise buildings on the edges" seems confused and misplaced! We are not familiar with any such concept having been consulted with us as a "Previous vision"! Maybe the proposal being referred to is the what if fantasy by the 'Density Syndicate' that turned the confluence into a wetland? This was however not the previous vision that we consulted, based on the 10 point Draft Manifesto for TRUP We did and do not support a New York style in TRUP but we do not support trash development like proposed to fill 80 % of flood plain, crowd the park with shopping centres, office blocks and traffic.</p> <p>We have always suggested that new visions for TRUP should not be by disregarding what I&amp;AP Stakeholders have been saying, in consensus! Our joint Manifesto values and meaningful Co-Design participation is far more helpful than possibly well intentioned individuals, however talented, attempting to lay out their own top down interpretation for our Park, that ignores the broad consensus of many over the last 21 years! This is 'other perspective' is closed to consultation!</p> <p>It has to be noted that when attending to such a site, based around the special life sustaining riverine valleys, that has thousands of years of significant history, that this has made it a contested place since the beginning of time! Noting this is more about listening to what is there than about making and reconstructing it, unless that is focused on revealing what is noted to be present.</p> <p>Respecting the heritage environment cannot be subservient to 'socio-economic justice and cultural justice'! It can resonate in a catalytic way to make far greater impact by not being subservient to it!</p>	
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	<p>Use of brainwashing in terms of preconceived “Public-sector led catalytic waggerwagger” that usually actually means giving in to private sector bullies to get a cut of the action is not a sound argument when proposing Heritage Impact Assessment! Nevertheless, the notion that the TRUP and its Heritage environment can have a catalytic impact on justice is an essential point that must be treated very seriously!</p> <p>To suggest that precolonial and colonial heritage has been misrepresented must be true, just like a clock that does not work does tell the correct time at least twice a day! Nevertheless truth does exist and so does time. This is why it is appropriate that clarity needs to be carefully researched!</p> <p>Heritage is not only cultural. It is also environmental and subjective. I treasure and want to visit Robben Island to learn what it feels like to be there, I recall Nelson Mandela, the early Khoi prisoners but also its place just out of Table Bay, its vistas and birds, seals etc. It is not to heritage of the Mandela Family alone! The fact that a site that is the Liesbeek Riverine Confluence, has a relevance since the origin of time, and that this intensified in terms of early Cape Culture and Colonial intrusion and then eviction of First Nations and exclusion for 360 years, makes the whole site a relevant site to all of that and more in terms of specific additional things like a crossing point or a sacred site or the position of a path or frontier fence. It is not negatively disqualified any more than a rare object with an imperfection is still a rare object of great meaning!</p> <p>We can agree that “the intangible heritage could be regarded as at least GRADE TWO significance” but we cannot agree that it should be lessened by the lack of clarity outside specific boundaries. We know Robben Island as a unique place, we know NM’s cell as a special place. We may not have evidence that he sat on a particular rock or not, but that does not undermine everything meaningful that we do know! That lack of certainty not knowing which rock gives it an intangible interpretation, and we could say it could be any rock open to imagination, so all the rocks could contend on that.</p> <p>There have been numerous heritage informants and in certain areas they can’t all be correct, but there should be a benefit of that doubt, not to destroy that place!</p> <p>Protection should be the appropriate response to such a significant place!</p> <p>Yes, the sense of place must be enhanced appropriately and knowing its uniqueness, it needs much caution not to rush in with false assumptions to justify interfering in a site that could have hidden characteristics, including the context of that place that is perceived as a heritage site, even when there is no totally clear and conclusive tangible evidence to that specific site, not to disregard it. When a place like TRUP has so many clear indicators to its heritage resources and that those are tangible like the cultural landscape, the rivers the range of historically documented facts that preserve that heritage, then it needs to be accepted that it is that place as it is that is the resource and not the mechanism</p>	
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	<p>like a plaque that can substitute for it! It is the place itself that carries the memorialisation. A plaque may add to that but it may depend how.</p> <p>The authentic landscape of Two Rivers Urban Park is protected and needs to be enhanced and restored even further so its depth of meaning can be more fully experienced as an environment, as a cultural landscape, as a historical context even at very different times, so a range of memory can be experienced, just as a stage in the theatre can adapt to sharing different stories, that have resonance with the place</p> <p>It needs to be agreed that sites in the Two Rivers Urban Park have greater meaning and opportunity when they remain integrated TOGETHER and where a range of memory and meaning overlaps also with the specific environment landscape, on the hill, on the edge of the wetland, along an ancient dry path, a crossing point, the fence that was the first frontier or the first farm where grain was grown. Some signs can be helpful others are very disturbing irritating. Sometimes a map can expand more appropriately than a long story on a sign.</p> <p>Yes it needs to be seen as the nexus where tangible and intangible can take meaningful form, but without it becoming Disney World! It can be questionable if one is actually attempting to 'indigenise the landscape' or if the landscape is being restored to authentic biodiversity, inclusivity, openness and simplicity to enable meaning to emerge from the intangible and the tangible framing. Variety of landscape areas should not be too prescriptive but should possibly have some range of interpretation, so a cultural celebration space could also be a picnic place or a site for a concert.</p> <p>The notion of being sufficiently sensitive needs to be to limit rather than to add so the essential would be to limit clutter from the open space and to add meaning over time, as patterns of use and meaning take hold in the Park.</p> <p>Yes much of the history of the last 360 years is about dispossession, exclusion, loss and yes recognition, redress of restorative justice is part of the healing that must be enabled, and a very big part of that is NOT TO DO MORE HARM!</p> <p>Protection of the heritage can go a long way to stimulating creativity in new vibrant development on the perimeter around the space not to destroy it.</p> <p>It is essential to first achieve a wholeness of the interconnected park space that is protected as cultural landscape and park environment, where much is needed to link up the broken off parts that need to be made accessible and integrated.</p> <p>The challenge is not only to integrate First Nations. It is to make the space open to all while enabling a special First Nations presence in authentic and meaningful ways. This is what I&amp;APs have been stating in our Draft Manifesto, in Scenario C and it is in the Contextual Framework. This is an essential part of healing when all are included and respect is cherished for special relationships that have specific attributes that must be incorporated with priority or prominence as may be required.</p> <p>Transformative proposals need to be inclusively Co-Designed so everyone can not only accept but also cherish the diversity. The social and economic aspects</p>	
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	<p>should not be seen in isolation as if on a remote island. This is a place within the urban framework with a national and international value. Table Mountain National Park does not get told that it needs to fund itself without any outside assistance. A big part of preserving such an open Park is the potential for people to be educated in its facilities and its heritage story, learning also from nature and the experience of interacting with others in the outdoors. We still need to assess 'how appropriately the heritage informants will be incorporated into the LSDF?"</p> <p>The landscape needs to retain its wholeness and simplicity as much as possible. This is not only a concern for Fist Nations any more that Robben Island is only to be consulted with ANC or only with sea bird specialists. It needs to be inclusive! Yes Indigenous commemorative aspects are essential but everything does need inclusivity and also the respect that can make that possible with multiple dimensional options that interconnect.</p> <p>Yes it is important to note the Legacy and Resistance route and the environmental legacy of restored habitat and biodiversity of this life sustaining place since earliest time. Yes this needs to focus on protection and restoration of the rivers as interconnected corridors and the land banks are part of that as are the wetlands and the way the transformed environment can be restored appropriately and responsibly far beyond the TRUP boundaries! This is an essential Heritage.</p> <p>We should not see the site being an island, so upstream and downstream are both relevant. Similarly the site, preserved as a park with great facilities acts as an important catalyst for substantial development throughout the central areas around the perimeter of the park.</p> <p>It needs to be firmly stated that there are in the region of 1500 hectares of underutilised land that is the real development opportunity that will depend on TRUP for its accessible outdoors and special facilities so there is no logic to look at TRUP as needing to be destroyed with infill development in ways that are unacceptable! We see Ndabeni and a few other pockets immediately suited to mixed appropriate development while TRUP has great facilities that can be enhanced for great benefit.</p> <p>The first step should be to GRADE the ungraded areas of TRUP so that appropriate development be considered on the basis of the grading and not the other way around!</p> <p>We do not think it appropriate to endorse the report unless the site has been graded appropriately first It does not make sense to endorse or support the ARG LSDF unless it is respectful of the heritage and the guidelines that have been set over the last 21 years and it should not be a blank cheque that only gets filled in when development proposals are assessed in Phase 2 HIA submitted for approval. There needs to first be clarity of values and grading so protection and</p>	
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	<p>conservation is not undermined in future, (or that this slack is manipulated to be undermined in current applications like the LLPT application at the River Club.</p> <p>There cannot be a condition “that The Project area as the historic landscape of the indigenous First Nations is recognised”! What Project? What area? What Landscape? Recognised for what, in what context? What about inclusivity? What about the Park? What about the environment?</p> <p>What is this so called First Nations Collective? Where have they come from? Who is part of it and who is not? On what basis do these conditions get put forward? Why is it placed here in the HIA and not discussed openly with everyone involved? Where have they been for the last 21 years? Who and when is indigenous narrative supposed to be spatialized, by whom? Will all stakeholders be consulted as all have up to now before this so called collective excluded all not included?</p> <p>There is no problem with names being proposed and agreed to by all stakeholders... The problem is new names being imposed like “Two Rivers” instead of the consulted Two Rivers Urban Park which was adopted by democratic consensus by all including First Nations participants over the last 21 years. There is room and logic for a number of names for different facilities and spaces as my be discussed by all. It should not be imposed like the ‘Two Rivers’ name has been!</p> <p>This statement that there should be a condition that “ WC Dept. of Transport &amp;PW, HWC and CoCT engage with DCAS to agree to funding etc for TRUP, to be undertaken before Precinct Planning for the first precinct is completed and in consultation with all relevant I&amp;APs seems very odd! How can this be a condition yet not consulted at the start? What basic agreement what is referred to? How can this HIA not be linked and associated with a LSDF and how can the LSDF not take note of restrictions that Heritage needs to place on the various parts of the TRUP site? Without these being coordinated, head and heart being part of an integrated body, it will turn on itself!</p> <p>It is inconceivable to TRUPA and its I&amp;AP Stakeholders, that this open space site known to be a significant heritage site, inside of TRUP, a declared park, is THREATENED in this way, regardless of the fact that the Park and this site is PROTECTED since 2003.</p> <p>This is the confluence of two historical rivers that have always been significant an Open Space, Sacred Ancestral site, since the beginning of time! Intact and respected for thousands of years as a precious LIFE, sustaining place....until it was captured unjustly without compensation! It still embodies that air of injustice and much cruelty, for the last 360 years. This historical site that embodied an essential place in the early Cape has not been recognised as stolen. Not returned either. It’s original use as a sacred site to First Nations people has been ignored as the Khoena have waited endlessly to be recognised, simply to</p>	
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	<p>have the right to have access to this restored, even as it was recognised open space commons, firmly agreed and adopted by our City in 2003. This was also when TRUP Association was first recognised in its role to ensure all parts of the Park, be protected and the River Club was recognised as open space!</p> <p>This is not a place to intrude with multiple large buildings and high traffic roads through the park! It is also not acceptable for preconditions be set for a few to cooperate to support this flawed document for TRUP'N</p> <p>I hope we will have an opportunity to review an improved HIA document that will rather encourage satisfactory guidelines for an outstanding TRUP'N Heritage Environment at Two Rivers Urban Park.</p>	
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Comment by:	Address/Representing	Summary of Comment	Response where not previously addressed above
A Birch B Auret C Cragg D Palmer D Aitchison & A Roese D Trowe & T Greenwood G Walden H Bergh & W Eccles J Gevisser P & J Ibbottson J Rachael K Grove  L Clowes & S Gredley L Williamson M-L and A Kellett N Murphy S Barsel S Driver-Jowitt Pinelands Ratepayers & Residents Assoc	8 London Rd Observatory 28 Cambridge rd Obs 18 London Rd Obs Hornsey Rd Mowbray 7 Milner Rd Obs  2 Low St Observatory  6 Low St Observatory 70 Stubens Rd Obs 33 Milton Rd Observatory De Villiers Rd Wynberg 56 – 60 Trill Rd Obs 9 Skool St Riebeck Kasteel 8 Cambridge Rd Obs  Rosebank ? 15 Duke Rd Observatory 62 Arnold St Obs 18 Cambridge Rd Obs	<ul style="list-style-type: none"> <li>• The HIA does not clearly state that the whole TRUP area requires grading by HWC as an urgent priority.</li> <li>• 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.</li> <li>• Intangible heritage must be included in overall planning and not left just for later integration in design and development planning at precinct level.</li> <li>• 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.</li> <li>• A comprehensive archaeological survey for the whole site is urgently needed.</li> <li>• 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.</li> <li>• 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 for social housing can restore intangible heritage lost.</li> <li>• 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.</li> <li>• 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.</li> <li>• The HIA focuses strongly on first nation experience and perspectives. This is to be welcomed as it has been neglected in the past</li> <li>• 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</li> </ul>	

		<p>whole TR site should be graded by HWC before a Development Framework is put in place.</p> <ul style="list-style-type: none"> <li>• The HIA notes <i>“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.”</i> 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.</li> <li>• The HIA notes that tangible heritage is easier to define than intangible heritage, which should be integrated <i>“into later design and development planning.”</i> 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.</li> <li>• 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.</li> <li>• The HIA proposes a <i>“network of public spaces, landscapes and cultural spaces”</i> that <i>“could most appropriately provide the opportunity to link the intangible and tangible heritage related to the site,</i> 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.</li> <li>• HIA notes on page 42 that <i>“sites identified as being of archaeological significance will need potential further archaeological investigation and input in terms of S 35 of the NHRA.”</i> 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.</li> <li>• HIA notes that <i>“The Two Rivers site is of outstanding cultural significance in terms of living memory”</i> and emphasises the importance of their confluence as <i>“a substantial, authentic indigenous landscape memory that has to be celebrated.”</i> If this is the case, it is puzzling why no comment is made by the HIA about the fact</li> </ul>	
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		<p>that 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 Liesbeek 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> <ul style="list-style-type: none"> <li>• The HIA notes that that “explorations of significance and culture <b>do not preserve a landscape absolutely or prevent appropriate development</b> 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.” 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.</li> <li>• The HIA and LSDF both emphasise “<i>Distributed space for memorialization</i>” 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.</li> <li>• The HIA report appears ambivalent as to the role HWC should play role in overseeing heritage protections in the area. 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.”</li> <li>• 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.” 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 tor 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.</li> <li>• The “<i>restoration of the river corridors, floodplains and wetlands</i>” is proposed as an activity to address heritage concerns, particularly given their being recognised for “<i>outstanding cultural significance</i>” and for which “<i>a substantial, authentic indigenous landscape memory that has to be celebrated.</i>” 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.</li> </ul>	
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J Wright L Malone G Ravenscroft K Allies	All i.r.o Oude Molen	<ul style="list-style-type: none"> <li>• This proposed development which will impact Oude Molen Village and surrounds, and in particular the stables. The stables are a BIG draw card to the area. The owner of the stables has brought in many rescued horses and has successfully rehabilitated them. The stables offer jobs to many men who live on the premises and in the village. This is the only home the horses know.</li> <li>• The impact of this will destroy life on the open field in front. There are leopard toads, different bird species like Dikkops, flamingoes to name a few who live in this field, not to name other animal life! Where will they all go?</li> <li>• Oude Molen has many small businesses and by developing it will mean these people will lose their jobs and incomes. A lot of the Garden Village residents work at Oude Molen and this is their only livelihood. Do you really want to destroy this?</li> <li>• Oude Molen is a home away from home for many people</li> <li>• strongest possible objection to the proposed development at Oude Molen Eco Village (important role of the stables, small businesses, schools, NGOs, food gardens etc)</li> </ul>	This is a planning matter rather than a heritage matter.
A Couvert	17 Devon St Woodstock	<ul style="list-style-type: none"> <li>• The City is seeking to adopt this policy before HWC has begun to grade the site.</li> <li>• HWC has been tied up in a convoluted appeal by the River Club (and the City and Province) over provisional protection for the past two years and has done nothing to grade the River Club area, let alone get to grading the TRUP area.</li> <li>• Heritage features strongly in the LSDF in that there is a whole report devoted to the First Nation narratives. This is welcome. However, it is also the case that despite the strong first nation narrative and an acknowledgment that the whole of TRUP is probably of grade II (provincial) significance, there is no recommendation to grade the area, and there is no comment on the inappropriateness of the River Club development (or any possible future other developments) from a heritage perspective.</li> </ul>	
A Tame		<ul style="list-style-type: none"> <li>• The TRUP should be properly assessed for heritage grading before a LSDF is rushed through</li> <li>• 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.</li> <li>• The attention to heritage in the LSDF is insufficient.</li> </ul>	
A Wildeman		<ul style="list-style-type: none"> <li>• Objects to the development of the river side. "I am a Aboriginal first nation koena and that side is part of our Heritage"</li> </ul>	Noted.

B Simons	20 London Rd Observatory	<ul style="list-style-type: none"> <li>• The area is of great cultural heritage in that it is the site of conflict between indigenous peoples and European invaders. The area should be extensively investigated archaeologically before any development is permitted in order to preserve any sensitive remains relating to this important history.</li> <li>• A stone's throw from the site of the proposed development is the Royal Observatory, which was built in the early 1800s on a high point in the area to have a view of the Bay. The Observatory was expected to provide accurate time to ships in the harbour and a pistol shot fired at the Observatory at the same time each day needed to be seen from the harbour as a flash (at night) or smoke (by day). The Observatory was declared a National Heritage Site in December 2018 and the important historical link between the harbour and the Observatory will be obliterated by a development of the size proposed, thus eroding part of the ethos of this Heritage Site.</li> <li>• With regard to the traditions of the indigenous people of the area, the view of the mountain was important from this floodplain where they watered their livestock. It is impossible for a museum to encapsulate the tangible presence of the mountain in this area once it is obscured by the bulky colossuses of up to 47 metres in height imagined for this development. The suggestion to erect a museum to preserve the history of the area is ludicrous.</li> <li>• Environmental heritage is as important as the cultural heritage and the area proposed for development is both environmentally and culturally sensitive in terms of heritage and should be fiercely protected.</li> </ul>	
B & J Smart	Pinelands Grove, B110, Sunrise, Pinelands	<ul style="list-style-type: none"> <li>• We are long-time residents of Pinelands attracted to the area due to the original balanced plan for Pinelands. The original Pinelands Municipality was charged with its preservation by the development company. This obligation was adopted by the City of Cape Town on incorporation. Since then there has been a continuous effort to preserve and improve the heritage by community members, of this and adjoining areas of Cape Town.</li> <li>• This development application should be rejected and / or revised on the grounds that development of green spaces, which should be preserved for health and pleasure, is inappropriate and there are other suitable sites</li> </ul>	This is a planning matter rather than a heritage matter. Nonetheless, we note that nowhere in the Draft LSDF or HIA are there references to "low cost housing". Rather, social housing is the emphasis, such that opportunities are provided for a range of income earners who can benefit by living closer to the existing urban amenities of the City of Cape Town. Addressing the spatial imbalances of the apartheid city is a heritage driven initiative to address the dissonant heritage we inherit from our fragmented past.
Paramount Chief David Johannes Bolton	Cochoqua Kingdom Council (Mamre)	<p>The Cochoqua Traditional Council of South Africa object to the proposed River Club development in its current form. The Traditional and Khoisan Leadership Bill (TKLB) promulgated 2019: neither the Western Cape Government, City of Cape Town and the Developers have engaged the acknowledged Khoi and San Traditional Leaders on the matter as prescribed by the TKLB and it is hereby proposed that proper dialogue, interaction and protocol be followed.</p> <ul style="list-style-type: none"> <li>• Paramount Chief David Johannes is a true descendent of the Khoi people who lived on the Liesbeek. As members of the Cochoqua Tribe in the Western Cape we therefore agree with the Goringhaicona Tribe and Civil Society that we consider this area as part of our heritage and wish to have a say in what is done.</li> <li>• A sense of place and landscapes have been shown to be of equal importance to people as are artefacts and buildings. The TRUP area has both these heritage aspects. It has historical landscapes and buildings that are significant to us, the Goringhaicona and Cochoqua indigenous people. We would be very distressed to</li> </ul>	

		<p>see these changed or destroyed by the development of the site. Socio-economic benefits do not compensate for loss of place.</p> <ul style="list-style-type: none"> <li>• The Liesbeek River is a tangible part of our heritage, albeit built over and canalised. It is here where our forefathers farmed, where our foremothers were enslaved; this is where our family left from to seek other places to live and farm. We trace our origins as South Africans to this place. Can the Two Rivers (LSDF) preserve this? In its present form certainly not.</li> <li>• The proposed development at the River Club of predominantly commercial office blocks with only a 4% affordable housing commitment, with a development footprint of 210 000 m<sup>2</sup> on a 15 hectare site, twice the density of Century City, is seemingly supported via an irregular 'collusion' between the City of Cape Town, the Western Cape Government and the River Club developers. The development will place blocks of between 24 and 47m tall onto the floodplain, on land that is yet to be graded for its heritage significance. Once it is concreted over, there is no recovering lost intangible heritage.</li> <li>• This is the most significant heritage battle in South Africa as the site of the proposed development is:       <ol style="list-style-type: none"> <li>a. The ancestral home to various Khoi groups with a history that dates back to the earliest human habitation on a precinct.</li> <li>b. Where the first free burgher farms were established in 1657 by the Dutch East India Company (VOC).</li> <li>c. Where the first Frontier War in 1659 took place between the Dutch and the Khoi Khoi.</li> <li>d. Where Jan Van Riebeeck erected his iron fence on the banks of the Liesbeek River.</li> <li>e. Where the first slaves brought by the VOC from Java; Goa, India; Madagascar and Angola were deployed to till the top soil of these farms.</li> <li>f. From 1659, a series of wars over time resulted in the permanent dispersal of the Khoi and San, which precipitated into 16 Khoi wars over a 150-year period. The colonial intrusion resulted in the genocide of the Cape San, and sacred animals such as the Cape Lion, Quagga, and Blue Buck and the devastation of the renosterveld in the area.</li> <li>g. This is a ground zero precinct where the wounds of South Africa's past are seen today in the transgenerational trauma that sits on the Cape Flats and felt across the Southern African landscape.</li> <li>h. This ancient terrain is of the last natural open space habitats with a specific genius loci of Khoi spiritual cosmological well-being.</li> <li>i. The site is profoundly rich in precolonial history, occupies a particular place in Khoi cosmology but has also been the site of repeated genocidal actions against indigenous people of the area. It is also a site of considerable environmental significance as an open space and green lung for the City, home to at least one endangered species of animal and the site of significant potential for groundwater recharge to render Cape Town more water resilient in the face of future impacts of Climate Change.</li> </ol> </li> <li>• For that reason, over 25 civic and environmental organisations and a number of key First Nations Paramount Chiefs and indigenous groups announces our combined application for Provincial Heritage Status for the TRUP; and our</li> </ul>	
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		<p>objection to the proposed River Club development; and to set the record straight on the issue of the River Club development.</p> <ul style="list-style-type: none"> <li>• In 2003, the City of Cape Town signed an agreement on the 2003 TRUP framework, the Cape Conservation agreement, but is now in violation of this agreement by changing the District Plan and the LSDF on TRUP for a single development. The City of Cape Town also signed an agreement with the Kingdom of the Netherlands on the TRUP. In the agreement it states environmental conservation of riverine systems and biodiversity. The proposed development is in violation of this agreement. Further, the site of the proposed development is currently on the tentative list of the Department of Culture, Art and Sport proposed to UNESCO as part of a Liberation and Resistance Route commemorating the Frontier wars and the 1510 battle where the Khoi defeated the Portuguese.</li> <li>• HWC should be leading the process in giving recognition and protection of the site and complete a heritage grading as agreed on.</li> </ul>	
F Dieckmann	98 Second Avenue, Claremont (Friends of the Liesbeek?)	<ul style="list-style-type: none"> <li>• I am no heritage expert but am descended from people who lived on the Liesbeek. I therefore consider this area as part of my heritage and wish to have a say in what is done.</li> <li>• A sense of place and landscapes have been shown to be of equal importance to people as are artifacts and buildings. The TRUP area has both these heritage aspects. It has historical landscapes and buildings that are significant to me. I would be very distressed to see these changed or destroyed by the development of the site. Socioeconomic benefits do not compensate for loss of place.</li> <li>• The Liesbeek River is a tangible part of my heritage, albeit built over and canalised. It is here where my forefathers farmed, where my foremothers were enslaved; this is where my family left from to seek other places to live and farm. I trace my origins as a South African to this place. Can the Two Rivers (LSDF) preserve this? In its present form certainly not.</li> <li>• The HWC should be leading the process in giving recognition and protection of the site and complete a heritage grading as agreed on.</li> </ul>	
H Walton	36 Milton Road Observatory	<ul style="list-style-type: none"> <li>• The City is fast tracking this policy – faster than the District SDFs. And they are seeking to adopt it before Heritage Western Cape has begun to grade the site. HWC has been tied up in a convoluted appeal by the River Club (and the City and province) over provisional protection for the past two years and has done nothing to grade the River Club area, let alone get to grading the TRUP area.</li> <li>• The City and its team of consultants have also renamed the LSDF as a “Two Rivers LSDF”, dropping the “Urban Park” from the description, ostensibly because the site is too mixed to be considered a park. This is a fiction that suits the idea of part of the park being suited for dense development.</li> <li>• Heritage features strongly in the LSDF in that there is a whole report devoted to the First Nation narratives. This is welcome. However, it is also the case that despite the strong first nation narrative and an acknowledgment that the whole of TRUP is probably of grade II (provincial) significance, there is no recommendation to grade the area, and there is no comment on the inappropriateness of the River Club development (or any possible future other developments) from a heritage perspective.</li> </ul>	

		<ul style="list-style-type: none"> <li>• There is a wealth of wildlife that depends on the wetlands which are integral to the River Club. Even if this is taken into account the area will be minimalised causing a depletion of the area available for wildlife to continue to thrive. The building work alone will cause untold damage to the area and cause severe stress to all the animals that call it home. If us humans had our way, the globe would be cement from one corner to the other with only the needs of man on the agenda. Please take this opportunity to say to all large scale developers, who are more interested in creating wealth than doing the right thing... 'Enough is enough. Let's keep some of our valuable earth as a sanctuary to wildlife, a bit of heaven on earth. Making a few humans wealthy is not worth the loss of our souls'</li> <li>• Let the City of Cape Town stand out from the rest by not being seen as yet another City on the payroll of the unscrupulous whose only motivation is filling their own pockets; at the expense of what is considered decent morals and intent.</li> </ul>	
J Ramsay	3 SAAO Observatory	<ul style="list-style-type: none"> <li>• Again we are being asked to comment on a rushed and ill advised plan. The HIA claims to call for inclusive and participative processes, but when they so not result in the outcome they wish for, they decide to fast track the LSDF and ignore everything that has been agreed to. To say that the citizens of Cape Town are tired of being bullied into agreeing to things that are clearly not in their interest, is an understatement.</li> <li>• The whole area of TRUP urgently needs grading by Heritage Western Cape as soon as possible. This should then be used as input to the process, and everything should be put on hold until it is done.</li> <li>• The way that the First Nation's concerns have been treated is disgraceful. So is the complete ignoring of the heritage of the South African Astronomical Observatory - where diagrams showing that you can still just see the mountain if you stand on the roof of the SAAO main building seem to be a justification for the building of high rise buildings in a flood plane.</li> <li>• The sense of place of a beautiful green area is also part of our heritage and should not be ignored. It cannot be replaced if it is wiped out by a development plan that seems to be more motivated by greed rather than anything else.</li> <li>• I implore you to be rational and to listen to the opposition to a plan that will wipe out a large part of our precious heritage.</li> </ul>	<p>The project team made a presentation to SAAO on 09 November 2019 and SAAO were asked to submit comments thereafter.</p> <p>In this HIA green spaces are acknowledged, and seen in the layering of varied heritage to have intersections with other issues, including heritage related to the social justice imperative regarding provision of a range of urban opportunities for previously marginalised sectors of the population. Green spaces are celebrated within this</p>
J Strong	Rosebank	<ul style="list-style-type: none"> <li>• The development will completely and permanently change the local environment and affect the visual, physical and social experience, view and aesthetic from the national heritage site at the Observatory and surrounding areas.</li> <li>• The scale and density of the development is not appropriate to the existing zoning, nor to the surrounding environment.</li> <li>• The site lies in a floodplain, requiring massive infill that will impact negatively on the aesthetics of the area.</li> <li>• An over scaled insensitive development on land zoned as open space, with extraordinary cultural and heritage significance.</li> <li>• Social housing that is affordable and closer to the CBD is a major consideration. High density development that has minimal access to local schools and commercial facilities is contrary to the stated policy of the city and national</li> </ul>	

		<p>government. The contribution to affordable housing is only 4% of the proposed development.</p> <ul style="list-style-type: none"> <li>• The development will forever destroy the sense of place at the site. It will hugely alter views looking both across the site and across parts of Cape Town.</li> <li>• The confluence of the two rivers is the epicentre of intangible heritage; of intense cultural and heritage significance for the Khoi. The erection a museum or cultural centre will not compensate for erecting tall buildings, (looming 30, 40 and 50 m over the confluence), and are incompatible with their practices and memory and is likely to house whatever memorial is established on the development. Yet the design of the development has some of its tallest buildings near this site This is insulting to the first nations and demeaning of their values.</li> <li>• Similarly, the Berkley Road extension will pass close by that confluence. It is acknowledged to be noisy as a result and what is not stated, likely to generate litter and pollution. This will be visited not on the residents of the 50m apartment buildings but on the museum or cultural centre below, and on any visitors or community members performing any outdoor rituals.</li> <li>• Heritage WC have signalled their intent to investigate the heritage grading of the site based on preliminary heritage assessments for the wider TRUP. They have done so because of the significant intangible heritage value that has been confirmed for the site.</li> <li>• The commitment to establishing a museum or cultural centre presents as a placatory token to first nation groups outraged at how they are being again isolated, ignored and marginalized in the name of private profits.</li> <li>• There are moves to declare the TRUP area a UNESCO heritage site and in 2013, DCAS earmarked the area between the Black and Liesbeek Rivers as a possible National Resistance and Liberation Heritage Route (NHLHR). This was supported by cabinet and spearheaded by Dept of Arts and Culture and in conjunction with National Heritage Council. It also received support from the African Union, given its strategic importance for the African Continent. UNESCO may consider this a global heritage site. Given the broader level of cultural significance, it is inappropriate to permit a development that will permanently destroy this heritage.</li> <li>• There are precedents where the City has recognised that cultural and heritage importance outweighs financial motivations – Maiden’s Cove, Princess Vlei are examples. Why should the City not take that position here?</li> <li>• The historical and cultural heritage of the site is intimately tied to the soil, flora and fauna as part of the colonial historical conflict narrative, and the spiritual landscape and practices of the Khoi.</li> <li>• The flora of the Cape Floristic Region is of international biodiversity heritage significance, hosting more than 6000 plants that are not found anywhere else in the world.</li> </ul>	
K Beckerling		<ul style="list-style-type: none"> <li>• I vehemently object this development. Cape Peninsula Shale Renosterveld and Cape Flats Sand Fynbos are two of the most endangered vegetation types in the country and it is appalling that this development may continue - with so little available habitat the city should be focussing on restoring this area rather than destroying it. If these types of reckless developments continue conservation targets will never be met - restoration is vital. The fact that this proposal occurs in</li> </ul>	This will be taken up in the LSDF C&RR

		<p>a water corridor is even more shocking as it is an essential stepping zone to the few other natural habitats left in the city. <i>Moraea aristata</i> is just one of the examples of species that could be lost if this development goes forward. The site falls across two Critical Biodiversity Areas</p> <ul style="list-style-type: none"> <li>• Furthermore, at the IUCN Species Survival Commission the Abu Dhabi Call was issued: "The Abu Dhabi Call for Global Species Conservation Action appeals to the world's governments, international agencies and the private sector to halt species decline and prevent human-driven extinctions by 2030, and to improve the conservation status of threatened species with a view to bringing about widespread recovery by 2050". This development would go directly against this appeal.</li> <li>• Moreover, Cape Town has had serious issues with its water supply. Wetlands and green corridors are some of the few places in which water can infiltrate and enter the water table - rather than running directly from drains to rivers and to the sea. This is a complete waste of water potential, and increases the chance of flooding from the river as it would increase runoff and decrease water absorption.</li> </ul>	
L Benjafield	Oude Molen	Comment on LSDF	
L Harwin	Pinelands	<ul style="list-style-type: none"> <li>• There is widespread and warranted concern regarding the development of low cost housing in the above mentioned areas. I would like to add my voice of strong disapproval and objection to the negative impact such a development would have to the environment of TRUP and the community of Oude Molen.</li> </ul>	This is a planning matter rather than a heritage matter.
M & M Lennox	Peak Dr. Pinelands	<ul style="list-style-type: none"> <li>• Object to the two rivers project development envisaged to be constructed on the open ground on the Pinelands side of Pinelands station (impacts of low cost housing on property values; crime, increased taxis and concomitant problems, water pressure, traffic and schools).</li> <li>• Being a garden city suburb Pinelands has managed to keep a degree of formality with regard to heritage and green open space demarcation.</li> </ul>	This is a planning matter rather than a heritage matter.
M Lynne	Observatory	<ul style="list-style-type: none"> <li>• I am concerned by what seems to be at this point, an interrupted, seemingly stalled, and incomplete heritage assessment of this entire area. My concern is that in the attempt to push development for this area through, thorough heritage studies will be neglected. Apart from the heritage (tangible and intangible as mentioned by many others), I also include the nature of building and development that will take place.</li> <li>• I find it quite surprising for example, that one cannot replace a residential roof in Observatory without heritage consideration and compliance (ie: it may not be tile, it must be tin, etc) but yet the proposed River Club buildings raise no comment.</li> <li>• I would appreciate it greatly if in-depth heritage studies of this entire precinct could be conducted before any further proposals for development of this area are allowed to proceed</li> </ul>	
Pinelands Ratepayers & Residents Assoc ( R Davids)	Pinelands	<ul style="list-style-type: none"> <li>• The City / Province must place a moratorium on all proposed developments, including privately owned land developments within the TRUP Precinct.</li> <li>• HWC should commission a study to Grade the Precinct, then apply to National Government for National Heritage Protection with the aim of declaring this precinct a World Heritage Site.</li> <li>• Government needs to recognise the different Nations of the Khoi &amp; San Peoples as the rightful First Nations of Southern Africa.</li> </ul>	

		<ul style="list-style-type: none"> <li>Once this is done, First Nation Rights then need to be conferred and all land rights protected.</li> <li>Then meaningful discussions can take place with the First Nations as their input is critical to this process.</li> <li>The LSDF can then proceed taking the World Heritage Status &amp; First Nations inputs into account.</li> <li>The LSDF cannot be done before the above process is concluded.</li> </ul> <p><b>We also request an interview when this matter is tabled in any forum whatsoever</b></p>	This request must be formally submitted <i>inter alia</i> to Heritage Western Cape, the City of Cape Town or the WCG Environment Affairs and Planning Department, or other forums wish this I&AP may wish to approach
Pinelands Ratepayers & Residents Assoc	Pinelands	<p>Common comments +</p> <ul style="list-style-type: none"> <li>We find the timing of this comment period on the LSDF and the HIA unacceptable – that the deadline is based in the middle of December which is obviously “end of the year/holiday time” for most people. Another of the City’s plans to fast-track this through as quickly as possible? This Public comment period should have been done from 1 February to 31 March 2020.</li> <li>We do not support the renaming of the Two Rivers Urban Park to Two Rivers. It is a subtle attempt to undermine the Urban Park</li> <li>We are one of nearly 30 Civic Associations that support the Application to have the Two Rivers Urban Park graded as a Provincial Heritage Site, with a view to a National and World Heritage site.</li> <li>I attended the Open Day and the press conference this morning (17 12 2019) and heard the First Nation representatives speak of how this land belongs to them and the pain of removals throughout their history. This is a vital heritage site for them – and for the healing and reconciliation of this City and Country and further afield. “Because of its strategic position in relation to the river systems and the historic pastoral routes to the north and south, it has a significant role in pre-colonial history in terms of the history of transhumance and the indigenous residents of the Cape <b>and their struggles to retain their land.</b>” <b>It would seem that in 2019 this struggle still continues!</b></li> </ul>	The commenting period began 17 October.
R Laughton	Pinelands	<ul style="list-style-type: none"> <li>Objection to the development proposed at Pinelands Station (traffic; impact on environment, loss of views and open space, property devaluation, taxis)</li> <li>Pinelands is a garden city and therefore can’t develop on the open areas</li> </ul>	This is a planning matter rather than a heritage matter.
Rosebank, Mowbray Civic Assoc	Rosebank Mowbray	<ul style="list-style-type: none"> <li>In undertaking this study, strong reliance has been placed on the previous heritage studies undertaken for the area. As with these previous studies there is much which has been thoroughly researched and responsibly addressed. These documents are an important source of information relating to the area. The value of the current study has been considerably enhanced by the addition of the First Nation report.</li> <li><b>Our interest lies specifically with the lower reaches of the Liesbeek River Valley – being the River Club site. Other than general comments relating to the process and the overall study, our comments refer only to this site.</b></li> <li>Notwithstanding the thoroughness of this and the supplementary First Nation’s studies, we consider that the heritage importance of this shallow valley has not been recognised or adequately responded to in determining the heritage-related informants to the future usage of the area.</li> </ul>	

		<ul style="list-style-type: none"> <li>• <b>The importance of the Lower Liesbeek River and its valley context</b> <ul style="list-style-type: none"> <li>- In commenting on previous heritage studies relating to the River Club site, we have stressed that there has been a consistent failure of the heritage and other consultants to view the Liesbeek River in its broader (Peninsula) context and to appreciate its role as one of the major place-making landscapes along with the mountain and the coastline.</li> <li>- There has, instead, been a narrow concentration purely on its river course and its immediate environment. Its place in the topography has been largely ignored.</li> <li>- While the historic importance (both pre- and post-colonial) of the Liesbeek River and its environs has been responsibly acknowledged and addressed from the point of view of the First Nation connection to the site and the subsequent colonial settlement of the area, the heritage importance of the physical nature (valley) of the Liesbeek has been entirely overlooked.</li> <li>- Notwithstanding the poorly defined topographic presence of the valley line (due to its natural low speed level of flow and exacerbated by extensive infill), it remains a valley – the landscape through which a river flows and floods. As such, it constitutes an important heritage resource in the landscape of the Peninsula which both environmentally and culturally should not be lost to more inappropriate usage.</li> <li>- The manipulation of the site from the first colonial farming through to the infilling relating to its usage for sportsfields and to the subsequent River Club development has, in the minds and findings of all the consultant teams engaged with the site (seemingly together with the Provincial and City decision-makers), reached a stage of no turning back.</li> <li>- What was a broad shallow valley riverine environment, was dramatically altered to become an elevated (but still floodable) flat plain accompanied by the canalisation of the river. The proposals now being the further lifting of the site out of the floodplain – this dramatic action to be mitigated by measures aimed at restoring the canalised stretch of river to the semblance of a meaningful riverine environment.</li> <li>- While the change in character of this landscape to accommodate what was to become the River Club and its associated buildings was dramatic, it was (other than the visual imposition of the main building) not an overly large intrusion into the visual landscape of the broader area. The remnant of the shallow valley line still persists as an integral part of the full length of the Liesbeek River course.</li> <li>- Notwithstanding the cautionary qualifications accompanying the notional depiction of the current proposals for development being indicated for the site (Fig 30, p47), the elevated ground level and extent of anticipated development will completely change the character of this site. Despite the restored riverine corridor, the still discernible form of a valley (however shallow) will be lost to urban infill.</li> <li>- Apart from the huge environmental changes that would accompany urban infill, the visual perception (as seen from all surrounding higher-lying areas) of what is currently largely a green space (signifying the valley line)</li> </ul> </li> </ul>	
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		<p>will be restricted to the river corridor. The valley as an integral part of the heritage landscape of the Peninsula will be lost.</p> <ul style="list-style-type: none"> <li>- It is our opinion that the site should revert to public ownership and that its future usage should be subject to an exploratory process with the bottom line being that such usage should be appropriate to the character and context of the site.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Process</b> <ul style="list-style-type: none"> <li>- Referring to Fig 3, we consider it to be of serious concern that the HIA has already (albeit at a supposed high-level) fed into and informed the draft LSDF proposals with regard to the spatial demarcation of land proposed for development in the absence of comments from I&amp;AP's and, critically, HWC's interim comments.</li> <li>- The heritage informants are a critical input into the LSDF and, in our opinion, require HWC 'endorsement' in order to give them validity.</li> <li>- The fact that this study has also served as the basis for a high level HIA of the LSDF seems to procedurally confuse the matter. This is made more problematic as the I&amp;AP comments are required to meet the same submission date</li> <li>- Consequently, we find the relationship between the HIA and the LSDF to be extremely awkward. It lacks the re-assurance of visible impartiality and procedural correctness.</li> </ul> </li> <li>• <b>Heritage –related informants to the LSDF</b> <ul style="list-style-type: none"> <li>- While the repeated reference in the study to Heritage-related <b>Development</b> Informants (rather than the more conventional term of <b>Design</b> Informants) may be an innocent slip-up, it nevertheless creates the perception that this heritage study is overtly biased towards development.</li> <li>- This perception is strengthened by the fact that the River Club site is currently designated for 'open space purposes' and we would have expected that the heritage-related informants should relate to any future usage of the site – not just development.</li> <li>- We see the failure to recognise and acknowledge the valley line as an important tangible heritage resource to be a serious omission. The outline of the "Notional river corridor as area to acknowledge and integrate First Nations" as indicated on Fig 30 (p47) is , in fact, a representation of the tangible valley heritage resource.</li> <li>- To illustrate the problem of confusion in the process, we refer to the artists impression of the Composite LSDF overview (Fig 6.11, p113 of the LSDF document) and draw attention to the 'notational' depiction of development on the River Club site which clearly bears no resemblance to what would be anticipated by the terms "Develop with some caution" and "Develop with constraints" as indicated on Fig 30 (p47) – despite needing to be informed by them.</li> </ul> </li> <li>• <b>Ownership of the land</b> <ul style="list-style-type: none"> <li>- While acknowledging that this may not appear to be a heritage issue in terms of an analysis of identifying informants to future usage, we need to question the ownership of the land. The fact that State-owned land</li> </ul> </li> </ul>	
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		<p>(earmarked for open space usage) was privatised is a matter that has yet to be adequately addressed.</p> <ul style="list-style-type: none"> <li>- Its relevance to this study lies in the fact that (other than noting the issue of land ownership) we would expect the informants to future usage being determined solely on heritage grounds with acknowledgement being taken of its designation in the existing District Plan and of its zoning.</li> <li>- With regard to the River Club site, we strongly endorse the view expressed in the First Nations report referring to the custodianship (rather than the ownership) of the land – hence our views above.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Spatial demarcation of areas for development (referring only to the River Club site)</b> <ul style="list-style-type: none"> <li>- Referring to Fig 30 (p47), it could be argued that the terms ‘develop with some caution’ and ‘develop with constraints’ are not prescriptive but we consider that this would be shortsighted. Their spatial depiction on the plan (which carries through to the LSDF) is seen as a serious problem.</li> <li>- We again refer to the concern that this HIA is being used as the high-level heritage informant to the LSDF without firstly taking into account the response from this public participation process and in the absence of the subsequent HWC’s interim comment.</li> <li>- Our suggestion is that (certainly in respect of the River Club site) no spatial depiction of usage be indicated on the site plan. Instead, a notation could be inserted to the effect that all future usage should be informed by a list of appropriate indicators reflecting the historic importance of the site (both topographic and cultural) and, critically its physical relationship to the SAAO site.</li> </ul> </li> <li>• <b>Possible way forward</b> <ul style="list-style-type: none"> <li>- The study has emphasised the importance of the Vaarschedrift/River Club site with regard to the history of the First Nations group and, while the following statement (p58) applies to the overall study area, it has particular relevance to this site. “The associations of the site are historically, and in many respects currently, one of dispossession, exclusion, marginalisation and loss. Recognition and redress must be at the core of any heritage sensitive planning process.”</li> <li>- We suggest that ‘recognition and redress’ apply equally as well to the loss of character of the lower reaches of the Liesbeek Valley.</li> <li>- Referring to pp38-40 of the study, to quote : “Indigenising the Two Rivers landscape and transformation to a commemorative landscape, can be achieved by using land and space within the landscape ... to give form, structure and functional expression to the intangible cultural heritage of the Khoi and San.” Various suggestions are then put forward to physically express this commemoration – these included a heritage centre, an open-air amphitheatre and other physical structures and spaces which would be spread as a matrix across the study area in acknowledgement of their presence and associations throughout the site. “The celebration of other aspects of intangible cultural significance of the area might, for example, include the following:</li> </ul> </li> </ul>	
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		<ul style="list-style-type: none"> <li>· Respect and protection of the wetland areas, not only for their ecological value but their heritage landscape value.</li> <li>· The recognition on the one hand of the Liesbeek River as being of outstanding significance in terms of the history of South Africa; and on the other, recognition of the Black River as being of strong local significance.</li> <li>· Recognition of the crossing at Vaarschedrift as being of outstanding cultural value in the precolonial history of pastoralism.</li> <li>· Exploration of a detailed set of mechanisms at a site and precinct level to memorialise, narrate and celebrate the history of marginalised and excluded groups ...”</li> <li>- It is not clear whether the above bullet point referring to “Exploration of a detailed set of mechanisms ...” is the same as the condition contained in the study Recommendations (p63) that “The Western Cape Department of Transport and Public Works, HWC and the City of Cape Town engage with DCAS to agree on funding and initiating a proposal for the cultural heritage project for the entire Two Rivers site, to be undertaken before Precinct Planning for the first precinct is completed and in consultation with all relevant I&amp;APs.”</li> <li>- Whether the same or not, we would suggest that (however laudable the matrix of commemorative spaces/objects throughout the study area may be) the Vaarschedrift /River Club site is the most meaningful commemorative precinct and that the exploration/undertaking of the cultural heritage project should be focussed on this site – (subject to the agreement of the First Nations representatives).</li> <li>- Any such project should include proposals for ensuring the long-term protection of the landscape character of the lower reaches of the Liesbeek Valley as an integral part of one of Cape Town’s prime landscape heritage resources.</li> <li>- The effective undertaking of any such envisaged project would be totally dependent on the Provincial Government extending the provisional protection of the study area – but more particularly including the River Club site.</li> </ul>	<p>refer over-arching comment on Grading issues</p>
<p>S Rajie</p>	<p>Parent Gaia Waldorf School Oude Molen</p>	<ul style="list-style-type: none"> <li>• Britain had no reason to cherish the Zulu king Cetshwayo kaMpande in the early days of 1879. He inflicted on the British Empire the most crushing military defeat it had known, claiming the lives of 867 white soldiers and 440 black auxiliaries in a single day. Only the legendary British fightback at Rorke’s Drift, immortalised in the film Zulu starring Michael Caine, has preserved the reputation of those military leaders who decided to take him on in the Zulu War. Cetshwayo, who was played in the 1964 Zulu film by Chief Mangosuthu Buthelezi, later leader of South Africa’s mainly Zulu Inkatha Freedom Party, experienced a profound downturn in fortunes after overcoming the British in the Battle of Isandlwana. He was taken prisoner by the British as their armies rallied in July 1879 and was deposed when his capital, Ulundi, was captured and torched. Imprisoned in Cape Town, South</li> </ul>	<ul style="list-style-type: none"> <li>• The history of Ceteswayo is specifically acknowledged in the HIA and recommendations made in respect of commemoration.</li> </ul>

		<p>Africa, his prospects were looking grim until he found an ally in the Earl of Kimberley who said the Zulu invasion was "unjust and necessary". Ian Knight, a historian and author, said: "Everyone in London was curious to see this guy who had given the British such a bloody nose. As is often the case, the British secretly admired the pluckiness of an underdog. They lined the streets for a look, all expecting him to be a scowling savage in a loincloth but he turned out to be impeccably dressed in European clothes. He apparently made a great impression on Queen Victoria and everyone else he met and ended up being cheered wherever he went." Why am I telling this story? Cetshwayo was imprisoned at Oude Molen and wrote to Queen Victoria from the area where the lower primary is situated. He eventually got his Kingdom back for a while as a direct result of these letters and visit to the Queen.</p> <ul style="list-style-type: none"> <li>• This piece of heritage is not reflected on the Heritage Impact Assessment commissioned by Province and we need to address a letter to Province before 17 December 2019. Setting out these facts and who we are and what we do.</li> </ul>	
T Hyde	Observatory	<ul style="list-style-type: none"> <li>• <b>Heritage grading</b> - the HIA does not recognise that HWC has indicated its intention to grade the site in recognition of the historical importance. It is probable that the grading will contradict information and proposals in the HIA.</li> <li>• <b>Spiritual importance</b> - The HIA does not adequately recognise the intangible heritage value the site holds for the First Nations people. A token gesture in the form of some small monument is an inadequate measure. The first nation report misrepresents claims that first nation voices wanted distributed spaces of engagement and indigenous placemaking. Allowing heritage to be sequestered in isolated spots will effectively destroy the heritage significance of the place.</li> <li>• <b>Flawed public participation process.</b> The HIA calls for participative and inclusive processes but fails to recognise that a previous participative and inclusive process was shut down by the City. There has been a lack of transparency and has bypassed the design process that the City initiated and agreed to in 2015.</li> <li>• <b>The importance of green spaces as a form of remembrance and reflection.</b> It is recognised worldwide that green areas are vital to areas that are dense. The City is implementing densification at a large scale but is failing to provide sufficient places for recreation and reflection – a form of heritage in its own right. Once a green space has been developed it is lost forever. The HIA suggests that development (mass development of the River Club) is not problematic. Development will remove the green space for generations to come.</li> </ul>	
W Steyn	10 Wesley Street Observatory	<ul style="list-style-type: none"> <li>• My input relates only to the Floodplain and Liesbeek and Black River area. I'm not in favor of any large-scale development on this site other than to turn it into a greenbelt area like the park that was created next to the Cape Town stadium. The city is already struggling with the pollution of our rivers and a development of the nature as anticipated by the developers will surely contribute to pollution. We need more open spaces where families and individuals can enjoy nature, and where we will allow nature to flourish. The city needs a lung to help everybody to breath in more fresh air, a space where we can allow the pelican and storks that frequent this area to land, a place where fisherman can catch a fish and where children can run free and cycle.</li> </ul>	This has been taken up in the LSDF C&RR

<p>F Taylor</p>	<p>Arundle Rd Rosebank</p>	<ul style="list-style-type: none"> <li>• The TRUP and River Club land are areas recognised as having potentially immense heritage value, considered for provincial, national and international levels. In addition to that value to restorative justice purposes, there is wide international value to the land as it would be used under the vision of the Khoi leadership that are opposed to the western modern development. We are currently in a global environmental crisis that is fueled by western modernist-style developments. It is critical to district, metropolitan, national and international people's that we have clearly demonstrated examples of alternative ways of developing that stand in stark contrast to the modern western model. This is not an ethereal or spiritual craving that can be claimed in this generation or the next, but rather something urgent for our survival through the current environmental crisis. Our imaginations are fully colonised by modern westernism and we need spaces that are outside of that to create a viable future. Housing and jobs are important but are also the paltry best offerings to the ever deteriorating life of the poor from inside the western modern development framework. Even where housing and jobs provides some relief from the undignified life many are trapped in, at this point the alternative is a critical priority as the environmental crisis is poised to undo any gains we have made through modernising urban life for more people. Imagining an alternative to western modernist development is unimaginably important and the true essential value of this site.</li> <li>• The HIA does not recognise this immense heritage value nationally and internationally as something that should stop the development from taking place. Since the developer is yet to obtain rights to develop the land, the process of doing the full heritage grading should most certainly be undertaken before this development takes place as the best process to protect the natural and cultural heritage of this area being irreversible lost to the local community, the city, the province, the country and the international community. Since the developer is yet to obtain development rights, the developer should follow due process as every other person has to and wait for the full assessment to take place and all the impacts considered before giving an answer to the request to develop. There is no justification for this developer to be considered special so due process should be followed.</li> </ul>	<p>This comment appears to refer to the "River Club" proposal: note that an LSDF is not a development application</p>
<p>Observatory Civic Association (Lesley London on behalf of)</p>		<p>See separate response table</p>	
<p>TRUPA (Mark Turok on behalf of)</p>		<p>See separate response table</p>	

## 12. Recommendations

On the basis of this assessment, it is recommended that HWC:

- endorse this report as having complied with the provisions of section 38(3) (a) and (b) of the NHRA
- endorse in principle the high level identification of heritage resources, their significance and the high level heritage indicators as a basis for informing further assessment in subsequent Phase 2 HIAs;
- provide Interim Comment to support the Two Rivers LSDF in principle, on condition that precinct level development proposals are to be assessed in Phase 2 HIAs and submitted to HWC for Final Comment;

on condition that:

- Phase 2 HIAs for the varied precincts within the TRUP/Two Rivers Study area will progress the heritage studies done in the Phase 1 from high level heritage work to in-depth precinct level study. This will apply to all areas of heritage work, including continued research of intangible heritage in line with applicability to the varied nature of the precincts. I&AP's consulted during the Phase 1 HIA process shall be offered full opportunities to continue to engage with all HIA processes, in line with undertakings made during the Phase 1 Heritage Process.
- the project area as part of the historic landscape of the indigenous First Nations, is recognised.
- That spatialising the indigenous narrative will constitute acknowledging the indigenous narrative;
- A re-naming process should be introduced as an integral part of the indigenising of the study area landscape as well as recognising that the greater Two Rivers area has been developed in many ways over time.
- The Western Cape Department of Transport and Public Works, HWC and the City of Cape Town engage with DCAS to agree on funding and initiating a proposal for the cultural heritage project for the entire Two Rivers site, preferably to be undertaken before Precinct Planning for the first precinct is completed and in consultation with all relevant I&APs (including landowners).

**Additional References**

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**ANNEXURE A: TRUP Contextual Framework Review and Preliminary Heritage Study, Phase 1 Report**

*(separate e-file)*

**ANNEXURE B: TRUP Baseline Heritage Study**

*(separate e-file)*

**ANNEXURE C: TRUP First Supplementary Report**

*(separate e-file)*

**ANNEXURE D: Second Supplementary (TRUP First Nation) Report**

*(separate e-file)*

## ANNEXURE E: HWC Interim Comments

**Our Ref:** HM\CAPE TOWN METROPOLITAN\OBSERVATORY\TWO RIVERS URBAN PARK  
**Case No:** 16071903GT0721E  
**Enquiries:** Guy Thomas  
**Email:** guy.thomas@westerncape.gov.za  
**Tel:** 021 483 9685  
**Date:** 25 August 2016  
**Auto ID:** 3883-4802



**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP**  
**Issued in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999) and Regulation 3(3)(a) of PN 298 (29 August 2003)**

Attention: Ms Melanie Attwell

Arcon Heritage Consultants  
 2 Caxton Close, Oakridge  
 Cape Town

**NID: PROPOSED TWO RIVERS URBAN PARK, CAPE TOWN.**

The matter above has reference

Heritage Western Cape is in receipt of your application for the above matter received on 21 July 2016. This matter was discussed at the Heritage Officers meeting held on 19 July 2016.

In discussion it was noted that a phased approach will be appropriate for this project. Specialist studies will be undertaken at a later stage in the second phase relevant to each precinct.

Requirement:

You are hereby notified that, since there is reason to believe that the proposed development will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. The first phase must include the identification of all heritage resources and identification of heritage indicators.

The required HIA must have an integrated set of recommendations.

The comments of relevant registered conservation bodies and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied.

**Conditions Applicable to This Response:**

This letter does not constitute conclusion of processes under the National Heritage Resources Act (Act 25 of 1999). These processes may only proceed further once the contents of this letter have been adhered to. Please note that no final documentation may be submitted to the Environmental Authority until the process under the NHRA has been concluded. Heritage Western Cape reserves the right to request additional information as required.

**RNID 25 August 2016**

**Our Ref:** HM/ CAPE TOWN METROPOLITAN/ OBSERVATORY/ TWO RIVERS  
 URBAN PARK BASE LINE HERITAGE STUDY –  
 OUDE MOLEN ERF 26439 RE ALEXANDRA ERF 24290 RE  
 VALKENBURG ERF 26439 RE, ERVEN 118877,160695 THE OBSERVATORY  
 ERF 26423-0-1 RIVER CLUB ERF 151832 NDABENI ERF 103659-0-2 RE

**Case No.:** 16071903WD0721M  
**Enquiries:** Waseefa Dhansay  
**E-mail:** [waseefa.dhansay@westerncape.gov.za](mailto:waseefa.dhansay@westerncape.gov.za)  
**Tel** 021 483 9533  
**Date:** 3 May 2017



**INTERM COMMENT**  
 In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape  
 Provincial Gazette 6061, Notice 298 of 2003

**TWO RIVERS URBAN PARK BASE LINE HERITAGE STUDY – OUDE MOLEN ERF 26439 RE ALEXANDRA ERF 24290 RE VALKENBURG ERF 26439 RE, ERVEN 118877,160695 THE OBSERVATORY ERF 26423-0-1 RIVER CLUB ERF 151832 NDABENI ERF 103659-0-2 RE, OBSERVATORY. SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter. This matter was discussed at the Impact Assessment Committee (IACom) meeting held on 12 April 2017.

Ms Atwell gave a presentation to the Committee and thereafter the applicants and various interested and affected parties were given an opportunity to make representation to the Committee and took part in the discussion.

Ms Atwell verbally confirmed that application was being made in terms of the provisions of s38(8) of the NHR Act.

It was formally agreed on that the Committee would go into closed session in order to frame its response.

**Amongst other things, the following was discussed:**

The very competent and informative baseline study was noted and commended, although certain gaps were identified. These were primarily in respect of the following:

- Lack of discussion of the estuarine system as a whole and particularly in respect of the area to the north of the site and its history.
- The National Khoisan Legacy Project in particular the understanding that this site may form an important aspect thereof. It is further understood that this site has been identified as part of the National Liberation and Resistance Project of Government. These are aspects that cannot be ignored and must be taken into account when framing heritage related informants for the site.
- The living heritage relating to the D'Almeida incident of 1510.
- The River Club and its history and relationship with the development of Afrikaner nationalism.
- Organisations present raised concerns regarding the cultural and natural landscape and broader metropolitan significance of the site.
- The potential loss of open space qualities were of particular concern, as was the impression that fast tracking pockets of development was being promoted.
- Concern was raised in respect of the origin of certain of the heritage informants that have been tabled; one example is that it is wholly unclear as to how the height related informants for the River Club were derived. It is difficult not to draw conclusion that these are based on a pre-conceived development concept.
- A further presentation in respect of the wider planning and development framework for the TRUP site was offered to the Committee by NM Associates in order to inform the Committee of the current state of planning for the area.

**IACom 12 April 2017 cont.../**



- On balance it is evident that based on the heritage resources identified in the baseline study and its supporting documentation, that the TRUP is of extremely high heritage significance. The Committee agrees that the overall site is of at least Grade II heritage significance, if not higher.

#### **RECOMMENDATION**

Based on the significance of the overall site the Committee recommends that the TRUP area is referred to the next meeting of the Inventories, Grading and Interpretation Committee for formal grading.

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 S 29 of the NHRA, and in so doing, providing more effective legal controls than those provided for in S 38(8), and specifically to investigate the desirability and extent of the area to potentially be declared as a Provincial Heritage Site.

#### **INTERIM COMMENT**

The Committee cannot at this stage endorse the Baseline Study as meeting the requirements set out in the response to the NID, dated 25 August 2016.

The Committee resolved that a formal presentation of the wider planning issues as well as any conceptual design framework undertaken thus far is made to it by NM Associates at its next meeting.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

  
 .....  
 Mr. Mxolisi Dlamuka  
 Chief Executive Officer, Heritage Western Cape

IACom 12 April 2017

## 16. PROPOSED PROVINCIAL PROTECTION

### 16.1 Two rivers Urban Park Baseline Study application: NM

Chairperson recused himself for this item: KD took over the chairpersonship.

JW gave some background information on this matter.

It the discussion, amongst other things, the following was noted:

- The committee acknowledges that the site is large and comprises a complex interplay of significances- social, natural, industrial, scientific, architectural, agricultural and historical- that spans from pre-colonial contact to present.
- Appropriate management of the site is necessary in order for this multi-layered significance to offer an opportunity for marginalised and intangible histories and heritage to be celebrated.
- The committee further acknowledges that integrated consultation will be complex for this site, but is essential as part of the S38 process.
- The committee notes IACom's comment that the Baseline Study does not meet the requirements of the NID response dated 25 August 2016 and is in agreement with IACom's identification of gaps in the study.

#### RECOMMENDATION

- The committee recommended that the further work required by IACom be completed before IGICom considers provisional protection of the site.

IGIC 31 May 2017

### 10.2.1 Report back from IGIC

#### TRUP

The IGIC decision was noted. However, the Committee also noted that the IGIC does not have delegated authority to take decisions in respect of provisional protection. The recommendation that the area be provisionally protected in terms of s29 of the NHRA (Act 25 of 1999) must be decided on by HWC Council.

#### RESOLUTION

The Committee is unanimously of the view that based on the information provided for in the consultant's Baseline Report tabled before this Committee, the TRUP is of potential Grade II or even Grade I significance. The Committee stands by its previous recommendation that the site should be provisionally protected so that the matter is fully investigated. The Committee recommends that a recommendation for the provisional protection of the TRUP is sent to the Council of HWC for its consideration.

IACom 9 June 2017

## 9.6 Two Rivers Urban Park

Discussion was held by the Committee in respect of a proposed s29 boundary for the TRUP Area.

Discussion included but was not limited to the following:

- Concern was tabled that the entire TRUP area as identified in the Baseline study may be too wide and that a more compact boundary should be investigated. It was further noted that HWC may have capacity problems in respect of investigating a wider s29 protection area and that this must be taken into account.
- Other members of the Committee felt that the boundary should be bigger, given that the intangible heritage relating to the site affected a larger area, and in order to investigate this significance the boundary should be enlarged to include the railway properties to the north of the site which fall in the area of the old Salt River estuary and is a known site of colonial conflict, as well as the Mowbray Golf Course to the south.
- It was recognised that in the past, SAHRA's s29 protections in respect of the Prestwich Area and Winelands areas had led to problems and certain conceptions as a result of mismanagement and process. It was suggested that this could be an opportunity to do the process properly.

### **DECISION**

Discussion will be ongoing.

GT will investigate and identify sites within the wider area that would either not already be formally or generally protected in terms of the Act should a development be proposed and circulate these to the Committee.

IACom 12 July 2017

## 24.1 Two Rivers Urban Park - Oude Molen Erf 26439 RE Alexandra Erf 24290 RE Valkenburg Erf 26439 RE, Erven 118877,160695 The Observatory Erf 26423-0-1 River Club Erf 151832 Ndabeni Erf 103659-0-2 RE: MA HM/ CAPE TOWN METROPOLITAN/ OBSERVATORY/ TWO RIVERS URBAN PARK

Case No: 16071903WD0721M

### **FURTHER REQUIREMENTS**

The applicant must circulate all supplementary information to I&AP's for comment. Any additional comments from I&AP's and the heritage practitioners' response thereto, must be included with the resubmission of the supplementary report.

WD

IACom 8 Nov 2017

**25.1 Two Rivers Urban Park - Oude Molen Erf 26439 RE Alexandra Erf 24290 RE Valkenburg Erf 26439 RE, Erven 118877,160695 The Observatory Erf 26423-0-1 River Club Erf 151832 Ndabeni Erf 103659-0-2 RE:  
HM/ CAPE TOWN METROPOLITAN/ OBSERVATORY/ TWO RIVERS URBAN PARK**

**Case No:** 16071903WD0721M

**INTERIM COMMENT**

1. The Committee notes the process undertaken thus far and requires that the applicant subjects all the TRUP Phase 1 HIA information to further public participation and thereafter submit the Phase 1 HIA information and the outcomes of the further public participation to HWC for consideration.

**WD**

**IACom 17 January 2018**

**DISCUSSION**

Amongst other things, the following was discussed:

The DTPW informed as follows:

- The DTPW had, during the process of the s29 protection of the River Club, become aware of a real need for public engagement. In this regard, DTPW had resolved to undertake a further public participation process for the wider Two Rivers Urban Park. This is primarily to address the role that the First Nation groups have in commenting on the wider process.
- AFMAS Solutions has been formally appointed as the Social Facilitator.
- Mr Ron Martin is preparing a list of all groups that should be consulted.
- The Public Participation Process is earmarked for a 2-month period.

The Committee welcomed that the process is back on track, and believed that this has the potential of adding a very important layer to the already-commended Baseline Study prepared by Attwell and Associates.

The Committee believed that it is outside of its mandate to interfere with the process being undertaken by the DTPW, and is comfortable that it will comply with relevant statutory provisions.

It did however note that it trusted that engagement with the Cape Indigene and First Nation groups will further assist in the provision of appropriate heritage resource indicators which will assist in guiding an appropriate development.

While a two-month process was envisaged for stakeholder engagement, the Committee encouraged the DTPW not to rush this critical component if it meant that valuable input could be missed out on.

**ADVICE:**

That the DTPW continue with the Public Participation as outlined in its letter to HWC, and include any comment or interaction received, and if applicable, resultant development indicators, within an updated Baseline Study.

**WD**

**IACom 12 June 2019**

**ANNEXURE F: LSDF**

*(appended as a separate e-file)*

## ANNEXURE G1: Public Participation Notices

Stakeholders Contact List Email Addresses
<p> <a href="mailto:simao@freshtrading.co.za">simao@freshtrading.co.za</a> ; <a href="mailto:tkubheka@prasa.com">tkubheka@prasa.com</a> ; <a href="mailto:ruby.gelderbloem@capetown.gov.za">ruby.gelderbloem@capetown.gov.za</a>; <a href="mailto:epl@saa.ac.za">epl@saa.ac.za</a> ; <a href="mailto:admin@daleglen.co.za">admin@daleglen.co.za</a> ; <a href="mailto:dgoso@metrorail.co.za">dgoso@metrorail.co.za</a> ; <a href="mailto:andrew@hutchingservice.co.za">andrew@hutchingservice.co.za</a> ; <a href="mailto:epl@saa.ac.za">epl@saa.ac.za</a> ; <a href="mailto:mariette.griessel@capetown.gov.za">mariette.griessel@capetown.gov.za</a> ; <a href="mailto:brett.herron@capetown.gov.za">brett.herron@capetown.gov.za</a> ; <a href="mailto:Patrick.Chapple@capetown.gov.za">Patrick.Chapple@capetown.gov.za</a> ; <a href="mailto:oudemolenstables@gmail.com">oudemolenstables@gmail.com</a> ; <a href="mailto:louise.charl@gmail.com">louise.charl@gmail.com</a> ; <a href="mailto:johnberry1@telkomsa.net">johnberry1@telkomsa.net</a> ; 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# TWO RIVERS (LSDF) : DRAFT PHASE 1 HERITAGE IMPACT ASSESSMENT

## KENNISGEWING

### AANSOEK INGEVOLGE DIE WET OP NASIONALE ERFENISHULPBRONNE, 1999 (WET 25 VAN 1999)

KENNIS geskied hiermee dat 'n aansoek ingevolge Artikel 38(8) van die Wet op Nasionale Erfenishulpbronne aan Erfenis Wes-Kaap (HWC) voorgelê sal word, naamlik:

#### KONSEPFASE 1 ERFENIS-IMPAKBEOORDELING

VIR DIE "TWO RIVERS"-TERREIN (voorheen Two Rivers Urban Park)  
PLAASLIKE MUNISIPALITEIT: Kaapstad Munisipaliteit

**PLEK:** by die kruising van die N2- en M5-snelweg, by die samevloeiing van die Black- en Liesbeekriviere, en insluitend dele van Observatory, Pinelands, Ndabeni, Oude Molen Village en Maitland Garden Village.

Kort beskrywing van die werk wat gedoen moet word: Die doel van die verslag is om te voldoen aan die bepalings van Artikel 38(3) (a) en (b) van die Wet op Nasionale Erfenishulpbronne en om die tussentydse kommentaar van HWC in hierdie verband te bekom.

Die Konsepfase 1 Erfenis-impakbeoordeling (HIA) identifiseer erfenishulpbronne en die belangrikheid daarvan; en verskaf data oor erfenis-gerelateerde ontwikkelingsinformante (HRDIs).

'n Hoë-vlak beoordeling van die Konseptraamwerk vir Plaaslike Ruimtelike Ontwikkeling vir Two Rivers sal onderneem word om die ooreenstemming met hierdie HRDIs te bepaal.

Lede van die publiek en belangstellende en belanghebbende partye word uitgenooi om kommentaar op die aansoek te lewer.

'n Afskrif van die dokumentasie kan by [www.westerncape.gov.za/general-publication/two-rivers-urban-park-towards-sustainable-integrated-urban-development](http://www.westerncape.gov.za/general-publication/two-rivers-urban-park-towards-sustainable-integrated-urban-development) afgelaai word of deur e-pos versoek word by: Karin.Dugmorestrom@westerncape.gov.za of [marshallene.harris@westerncape.gov.za](mailto:marshallene.harris@westerncape.gov.za).

'n Harde kopie van die dokumente kan by die volgende plaaslike biblioteke besigtig word – Observatory, Ndabeni en Pinelands.

Enige persoon wat beswaar wil aanteken of kommentaar wil lewer op erfenisgronde, moet sodanige beswaar of kommentaar skriftelik aan Cindy Postlethwayt e-pos by [cindy@cphheritage.co.za](mailto:cindy@cphheritage.co.za) of voor Desember 17, 2019.

Let daarop dat slegs besware en kommentaar wat op erfenisgronde gemaak word, oorweeg sal word.

Enige besware en kommentaar wat na Desember 17, 2019 ontving word, kan moontlik geïgnoreer word.

Datum van kennisgewing: Oktober 17, 2019

## ISAZISO

### ISICELO ESINGQAMENE NOMTHETHO KAZWELONKE WELIFA LEMITHOMBO LEMVELI, 1999

Ngokwenjenje kunikwa isaziso sokuba isicelo ngokwe Candelo 38 (8) lomthetho Kazwelonke Welifa Lemithombo Lemveli

ziya kungeniswa kwilifa leMveli leNtshona Kapa (HWC), oko kukuthi:

#### ISIGABA SOKUQALA ESINGEKAGQIBEKI NGOKUPHELELEYO – UVAVANYO LWEMPAPU NGOMTHELELA WEZEMVELI

KWINDAWO EYI "TWO RIVERS" (Eyabe isaziwa nge Two Rivers Urban Park)

**UMASIPALA WENGINQO:** uMasipala weSixeko sasaKapa  
**INDAWO:** Kwindawo apho kudibana khona indlela uN2 NoM5, e Black and Liesbeek Rivers, kuquka neendawo ezithile zaseObservatory, Pinelands, Ndabeni, Oude Molen Village, and Maitland Garden Village.

Amagqabantshintshi ngomsebenzi ozakuthi wenziwe: Injongo zalengxelo kukuthobela ukuhambelana nemigaqo yeCandelo 38(3) (a) no (b) wo **MTHETHO KAZWELONKE WELIFA LEMITHOMBO LEMVELI** nokufumana izimvo zethutyana zeLifa Lemveli waseNtshona Kapa (HWC).

**ISIGABA SOKUQALA ESINGEKAGQIBEKI NGOKUPHELELEYO (HIA) – UVAVANYO LWEMPAPU NGOMTHELELA WEZEMVELI** sibalula Imithombo yobutyebi belifa lwemveli kunye nokubaluleka kwayo; kwaye sisiza nenkcukacha manani ngabanolwazi malunga nophuhliso lwelifa lwemveli (HRDIs).

Uvavanyo olukwinqanaba eliphuzulu lwesigaba esingekagqibeki ngokupheleleyo seSikhokhelo sokuPhuculiwa kwendawo yokuhlaliswa kwabantu luyakwenziwa ngenjongo yokufumana ukuba kukho ulungelelwano nezi HRDIs – abanolwazi malunga nophuhliso lwelifa lwemveli.

Amalungu okuhlala kunye nabantu abanomdla nabachaphazelekayo bayamenywa ukuba bavakalise izimvo zabo ngesicelo.

Ikopi yoxwebhu iyafumaneka ku [www.westerncape.gov.za/general-publication/two-rivers-urban-park-towards-sustainable-integrated-urban-development](http://www.westerncape.gov.za/general-publication/two-rivers-urban-park-towards-sustainable-integrated-urban-development) okanye ucele ngembhalelwano nge – email ku Karin.Dugmorestrom@westerncape.gov.za or [marshallene.harris@westerncape.gov.za](mailto:marshallene.harris@westerncape.gov.za).

Ikopi eliphelapha iyafumaneka kumathala encwadi ase Observatory, Ndabeni and Pinelands.

Namphi na umntu onqenela ukuphikisa okanye anike izimvo kwesicelo ebambelela kwimiba edibene nelifa lwemveli makenjenjalo achase okanye anike izimvo zakhe ngokubhalela ku Cindy Postlethwayt esebenzisa i-email [cindy@cphheritage.co.za](mailto:cindy@cphheritage.co.za) na ngomhla we December 17, 2019 okanye phambi koko.

Nceda qwalasela ukuba kuyakunikwa ingqwalasela kuphela kwabo bachasa okanye benika izimvo kwesicelo bebambelela kwimiba edibene nelifa lwemveli.

Naziphina izichaso nezimvo ezifunyenwe emva komhla we-17 kuD- isemba ka-2019 zinokungahoywa.

## NOTICE

### APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT, 1999 (ACT 25 OF 1999)

NOTICE is hereby given that an application in terms of Section 38(8) of the National Heritage Resources Act will be submitted to Heritage Western Cape (HWC), namely:

#### DRAFT PHASE 1 HERITAGE IMPACT ASSESSMENT

FOR THE SITE "TWO RIVERS" (formerly Two Rivers Urban Park)  
LOCAL MUNICIPALITY: Cape Town Municipality

**LOCATION:** at the intersection of the N2 and M5 freeways, at the confluence of the Black and Liesbeek Rivers, and including parts of Observatory, Pinelands, Ndabeni, Oude Molen Village, and Maitland Garden Village.

Short description of the work to be done: The purpose of the report is to comply with the provisions of Section 38(3) (a) and (b) of the NHRA and to obtain the Interim Comment of HWC in this regard.

The Draft Phase 1 Heritage Impact Assessment (HIA) identifies heritage resources and their significance, and provides data on heritage-related development informants (HRDIs). A high-level assessment of the Draft Two Rivers Local Spatial Development Framework (LSDF) will be undertaken to establish its conformity with these HRDIs.

Members of the public and interested and affected parties are invited to comment on the application.

A copy of the documentation may be downloaded at [www.westerncape.gov.za/general-publication/two-rivers-urban-park-towards-sustainable-integrated-urban-development](http://www.westerncape.gov.za/general-publication/two-rivers-urban-park-towards-sustainable-integrated-urban-development) or requested by email from: Karin.Dugmorestrom@westerncape.gov.za or [marshallene.harris@westerncape.gov.za](mailto:marshallene.harris@westerncape.gov.za). A hard copy of the documents may be perused at the local libraries of Observatory, Ndabeni and Pinelands.

Any person wishing to object or comment to the application on heritage grounds must submit such objection or comment in writing to Cindy Postlethwayt at email [cindy@cphheritage.co.za](mailto:cindy@cphheritage.co.za) on or before December 17, 2019.

Kindly note that only objections and comments that are made on heritage grounds will be considered. Any objections and comments received after December 17, 2019 may be ignored.

Notice date: October 17, 2019

**NOTICE****APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT, 1999 (ACT 25 OF 1999)**

Notice is hereby given that an application in terms of Section 38(8) of the National Heritage Resources Act will be submitted to Heritage Western Cape (HWC), namely:

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FOR THE SITE 'TWO RIVERS' (formerly Two Rivers Urban Park)**

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Any person wishing to object or comment to the application **on heritage grounds** must submit such objection or comment in writing to Cindy Postlethwayt at email [cindy@cpheritage.co.za](mailto:cindy@cpheritage.co.za) on or before 17 December 2019.

**Kindly note that only objections and comments that are made on heritage grounds will be considered. Any objections and comments received after 17 December 2019 may be ignored.**

*Notice date: 17 October 2019*

**ANNEXURE G2: Public Comments**

*(appended as a separate e-file)*