

What the HIA does do is talk about the view **OF the site** from Observatory and he claims that “the substantial changes on site experienced from Liesbeek Parkway, Station Road and from the sports fields and facilities will transform this sense of place; and will also be visible across the Black River from the M5; and this change will be highly perceptible to persons familiar with the area. Whether this change is perceived as negative or positive is dependent of the personal aesthetic and values of the observer.” (page 74)

This is a rather inexplicable statement. It is clear that there will be a massive visual impact and it is unacceptable that the HIA offers no opinion on this matter, which is surely so substantial a visual impact as to be material. Again, the HIA appears to resort to repeating the SRK VIA <sup>SRK</sup> report which says (page 74 further down) that “**Receptor perceptions are also important:** for some, retention of the open space might be critical to retaining the sense of place; for others, urban development, especially if celebrated by iconic structures, may be valued.”

We do not see these comments as helpful. A HIA is meant to present evidence and not resort to creating a contestation of opinions as evidence that you can't draw a conclusion. We believe the HIA does a disservice to this key issue. An opinion, based on evidence, needs to be expressed. And we believe that the evidence points to very substantial adverse visual impacts, it is not a matter of one opinion versus another.

3. The HIA **grossly understates the cultural heritage of the area** in its statements that “the heritage assessment of the site itself shows that there are no tangible traces of early historic events” and “The site therefore contains little that is worthy of conservation...” In saying this, the HIA seems to focus only on physical heritage but takes little account of the confirmed and undisputed presence of indigenous people in the area and the traditional significance of that history.

The statement that “... the river is the primary physical and symbolic heritage resource in proximity to the site” must surely be incorrect when viewed in light of the well-recognised indigenous history of the area. It is not simply the case that all settlements alongside the river are important so therefore there is no particular importance to the River Club site, as was averred in the meeting of the 14<sup>th</sup> by Tim Hart. We would have expected that a more considered assessment must place higher value of this ‘hidden’ history, which may not have a building or grave to mark it, but which has ample historical record.

We therefore are not in agreement at all with the assertion that “to the extent that we see the site as a heritage resource, we contend that the sense of place, in that it relies on the Liesbeek riverine corridor for its significance, will be significantly enhanced by the restoration of the corridor to match the corridor upstream.” Transforming the riverine corridor is one thing, but it cannot substitute for recognising the substantial intangible heritage resource contained in the cultural history of the area.

We are therefore very worried by the statement that “the sense of place, already transformed iteratively over the past 80 years, will be radically transformed” as the justification to overlook indigenous history. The report appears to ignore anything other than restoring the river as a way to recognise this history, which we believe to be a wholly inadequate response, as if

restoring the river will recognise indigenous history. The idea of a “possible visible symbolic pre-colonial crossing point (page 75)” has not been caucused with the relevant descendants of those indigenous groups and is a shabby and token memorialisation of a much more significant history.

We also find it strange that the HIA acknowledges TRUP (rather than the River Club site) as containing “components of high significance, not only on account of its built, cultural environment and setting, but also its place in the very early history of the Cape... (page 45).” The HIA goes on to state that “The interests of indigenous rights has featured fairly prominently in discussions with respect to the TRUP and play a significant role in the determination of a high heritage grading for the area” and that “...These interests will, of course, have great bearing on the River Club site; and will be specifically sought out and **explored in the consultation process.**” (page 46, my emphasis). However, we can confirm there has been no consultation with the relevant indigenous groups on the issue so it is unclear how any assessment of the historical importance can be made – particularly since the HIA severely discounts the value given to this historical presence in the area. The fact that it glosses over the significance for traditional leaders and makes the river the core heritage issue is potentially an insult to indigenous peoples and should not be permitted to influence a HWC until there is a proper exploration of these issues.

4. We are also puzzled over the **discounting of the existing 1930’s** building as in “The 1930s Club and its extensions is of low heritage significance.” It is unclear to us why a 80 year old building would be of significance elsewhere but not on the Private Property of the River Club?
5. The assumption by the HIA of the “two future developments abutting the site” (the Berkley Road extension and the proposed office development for the Square Kilometer Array) as a given which “will change the character of the site considerably” is extremely problematic, since it colours the HIA and prevents any consideration of real alternatives. The HIA seems to **accept entirely that they are a fait accompli** and that the “character of the environs and of the site ... will be significantly changed...”. The HIA frames it as the River Club development being “just one development that will impact the Liesbeek-Black River confluence in the foreseeable future”.

We wish to point out to HWC that this cannot be taken as a given by a Heritage Impact Assessment which should be able to consider all options, not only the preferred option of the developer – which have been shown to be simply the option for which the most profit can be achieved.

6. We are also unclear as to how the HIA can note the previous O’Donoghue report as part of a “phase one” HIA, recognising that her report was circulated for public comment in a phase of public consultation under the NEMA process, yet come to such vastly different conclusions. The HIA states that the O’Donoghue report has “been revised and included in part in this Draft HIA Prepared for Interested Party Consultation,” but it appears more accurate to say that the O’Donoghue report has been effectively discounted in this HIA. We are puzzled, therefore, how two supposedly independent HIA consultant come to such vastly different conclusions. It seems that, rather than ‘incorporating’ her work, the HIA has fundamentally departed from O’Donoghue’s conclusions and recommendations. We are therefore very concerned about the HIA’s approach in that regard.

7. We are also concerned that the HIA sweeps off the table a huge amount of preceding work conducted by various parties, both in civil society and amongst the authorities, which created the TRUP. In the HIA there is no recognition of the relevance of this history and the recognition of TRUP as open space in its planning decisions. What is foregrounded, in contrast, is the inevitability of Berkley road extension and the looming SKA building which are assumed to change the situation entirely – yet these are both developments that completely contradict those historically agreed planning guidelines. Even more recent engagement is effectively ignored. For example, on page 22, the HIA states that “We note that interested parties and the public more generally have shown considerable interest in the draft TRUP and Two Rivers studies that have been circulated in the past two years. We have recognised this interest but do not refer to the details of comments made on the previous draft report or alternatives.” It is unclear what quality a HIA has if it ignores many previous comments.

We are therefore very concerned that a range of key issues have not been considered in the HIA, or have not been adequately characterised in the HIA, particularly given the haste to accept as a given, the scale of the proposed development, the extension of Berkeley Rd across the precinct and the erection of a large building for the SKA nearby – none of which have any approval as yet.

Yours sincerely

On behalf of the Observatory Civic Association

