

ERF 151832 CAPE TOWN

THE RIVER CLUB: PLANNING POLICY REPORT

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1. INTRODUCTION

Planning Partners has been appointed by the owners of The River Club, Liesbeek Leisure Properties Trust (LLPT), as town planner for the redevelopment of Erf 151832 Cape Town into a mixed-use development consisting of retail, office, residential and hospitality uses. The development is proposed to accommodate two distinct precincts and will comprise of approximately 150 000 m² of bulk. A locality map is provided in **Figure 1** and an aerial photograph of the site in context is shown in **Figure 2**.

2. BACKGROUND

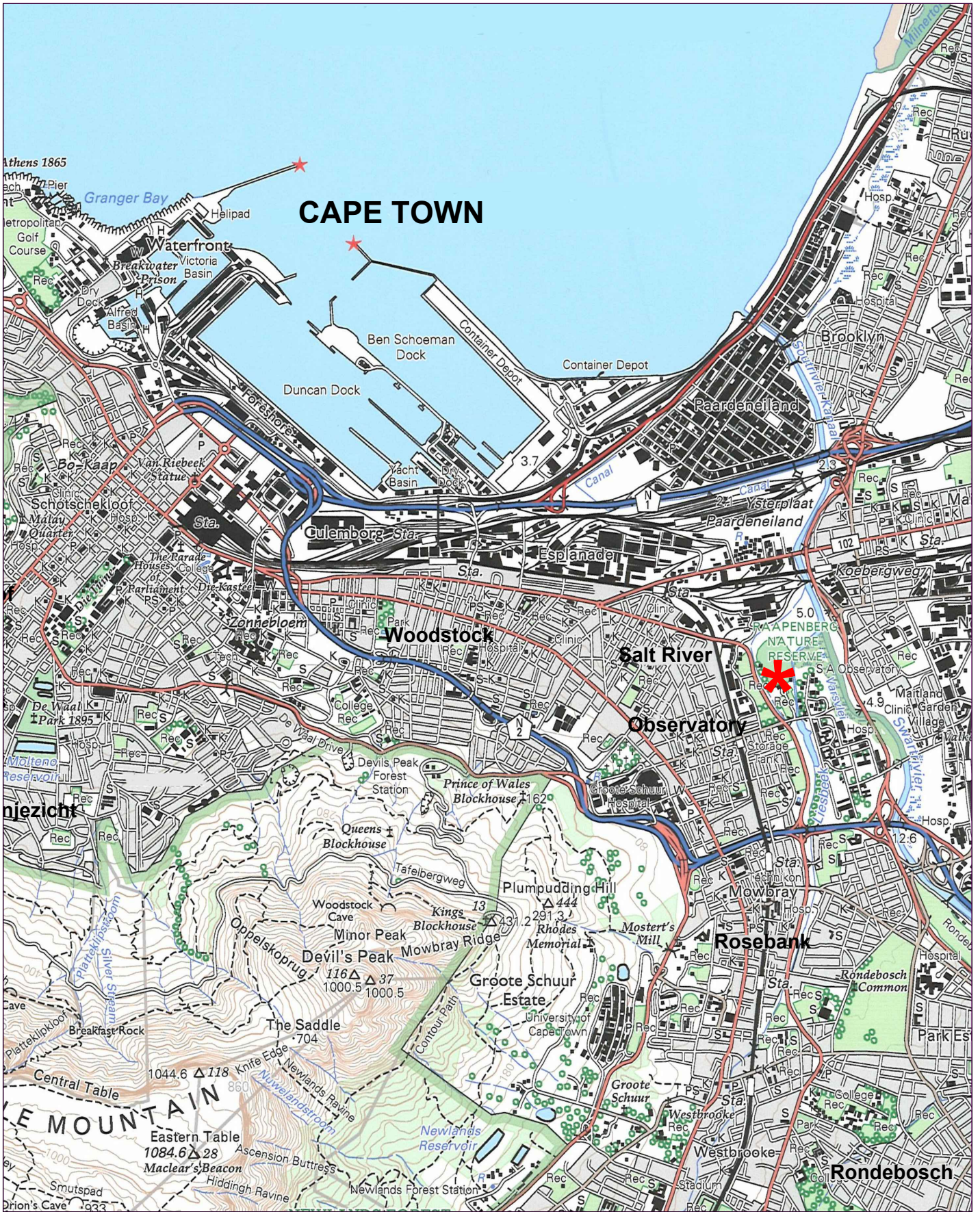
The site currently occupied by the River Club was previously utilized by the South African Railways & Harbours (SAR&H) as the Liesbeek Park Recreation Club, which was established in the late 1920s and was subsidized by SAR&H for the benefit of its employees. The site was administered by Propnet, a division of Transnet.

The original facilities of the club were built towards the end of the 1920s, with the main building completed in 1939 (this is still the main building on the property). When Transnet activities shifted to Bellville in the 1980s, most staff moved to the northern suburbs, leading to a decline in patronage at the club. By November 1993 the property had been abandoned by Transnet as a sports club and had been leased to a progression of tenants who did not properly care for the buildings or grounds.

The River Club was established in November 1993, primarily as a golf driving range, but soon the entire property and building was leased by the former proprietors of the River Club, Liesbeek Leisure Club (Pty) Ltd. At that time, the property was zoned “Community Facilities” in terms of the Municipality of the City of Cape Town Zoning Scheme Regulations (1990). For the initial 7 years of operation the activities for which the River Club was originally developed – the bar and restaurant, conference venue and golf driving range – were considered “non-conforming uses”. However, these use rights were approved by Council in May 2001 and still apply to this day. In addition, permission to build a 9-hole mashie golf course was granted in 2002 (operation commenced in 2003).

The long term tenant, Liesbeek Leisure Properties Pty (Ltd), bought the property from Transnet in exercise of its pre-emptive right, and in turn sold the site to LLPT in 2015 in order to facilitate development. Over the past two years LLPT have progressively improved the facility, with numerous upgrades of the buildings, parking area and grounds having taken place, while the golf driving range is also much improved.

Notwithstanding these improvements, the owners of the River Club find that the current use of the property is not financially sustainable and is an underutilization of well-located land within Cape Town. Accordingly, they have undertaken a comprehensive process over the past three years to investigate a feasible development proposal for the site. This land use application is the culmination of that process.



 THE SITE

**THE RIVER CLUB
OBSERVATORY**

LOCALITY



AUGUST 2018

Figure 1



 THE SITE

**THE RIVER CLUB
OBSERVATORY**

CONTEXT



SCALE 1:10000



AUGUST 2018

Figure 2

3. OVERVIEW OF THE COMPOSITE PLANNING APPLICATION SUBMITTED

A composite land use planning application has been submitted in terms of the City of Cape Town Municipal Planning Amendment By-Law (MPBL), including the Cape Town Development Management Scheme (DMS), for the approval of the following:

- a. **Deviation from the Table Bay District Plan**, to permit urban development on land designated as “open space”, “core 2” and “buffer 1”, in accordance with section 16 of the MPBL.
- b. **Rezoning** of the property from *Open Space Zoning 3: Special Open Space (OS3)* to *Subdivisional Area Overlay Zoning (SAO)*, in terms of section 42(a) of the MPBL.
- c. **Approval to construct retaining structures**, in terms of section 42(i) of the MPBL and in accordance with item 126 of the DMS.

In addition to the above, deviations are required from the following policies:

- a. City of Cape Town Floodplain and River Corridor Management Policy (2009)
 - i. Section 9.2: Flood management and public safety
Permission to develop / obstruct the free flow of water within the 20-year flood plain.
 - ii. Section 10.5: Table 1: Framework for the assessment of proposals
Permission to infill within the 50-year flood plain.
- b. City of Cape Town Management of Urban Stormwater Impacts Policy (2009)
 - i. Annexure table: 24 hour extended detention of the 1-year RI, 24h storm event in a greenfield development > 50 000 m².
Permission to deviate from this requirement.
 - ii. Annexure table: Up to 10-year RI peak flow reduced to pre-development level in a greenfield development > 50 000 m².
Permission to deviate from this requirement.
 - iii. Annexure table: Up to 50-year RI peak flow reduced to existing development levels in a greenfield development > 50 000 m²
Permission to deviate from this requirement.

4. THE SITE

4.1 Locality and Context

The site is located at the confluence of the Liesbeek River and the Black River (refer to **Figure 1** and **2**). A man-made canal forms a large part of the eastern boundary of the site. This, together with the two aforementioned rivers, as well as the Raapenberg Wetland to the east, frame the land and give it the resemblance of an island in the landscape.

Figure 2 illustrates the site in its context. The South African Astronomical Observatory complex lies immediately to the east beyond the canalized section, with the Valkenburg Hospital complex further to the southeast. To the west lies the original Liesbeek River course, which was cut off when the river was canalized along the site's eastern edge, and now forms a stagnant backwater of the Black River. Beyond this channel is Liesbeek Parkway Road, with sports fields and the Black River Park business park beyond. A road reserve (for the extension of Barkley Road) falls immediately adjacent to the north of the property. The City of Cape Town intends to build a major road link in this reserve in the future, which will have a significant impact on the context and linkages of the site. Further north of the road reserve lies vacant land owned by PRASA, beyond which is the PRASA railyard.

4.2 Basic Property Information

The cadastral configuration of Erf 151832, as well as those of the surrounding properties, is shown in **Figure 3**. The property measures 14.8425 ha in extent.

A summary of basic information about the property is provided in **Table 1**.

Table 1: Basic Property Information

Property Description	Erf 151832 Cape Town
Registered Owner	Liesbeek Leisure Properties Trust
Title Deed No.	T53900/2015
Property Extent	14.8425 ha
Zoning	Open Space Zoning 3: Special Open Space (OS3)
Title Deed Restrictions	None that prohibits the application and proposed land uses.

4.3 Zoning

Erf 151832 is currently zoned Open Space Zoning 3: Special Open Space (OS3) in terms of the City of Cape Town's zoning map. A zoning map of the area is shown in **Figure 4**.

The proposed mixed use development is not permitted in terms of OS3 (as conveyed in the MPBL) and it will therefore be necessary to rezone the property.

SALT RIVER

RE-15334

BLACK RIVER PARKWAY

16676

27661

166797

Rem 15326

THE RIVER CLUB 151832

26169

LIEBEEK PARKWAY

26166

26170

26171

26172

26173

26174

108936

RE-26423

26175

26427

26426

OBSERVATORY ROAD

S.A. ASTRONOMICAL
OBSERVATORY
26423-01

COLLINGWOOD

FIR ROAD

ASH ROAD

STATION ROAD

OBSERVATORY
STATION

HARTLEVALE
RE-26456

RE-26440

VALKENBERG
HOSPITAL
RE-26439

26095

129571

125989



THE SITE

THE RIVER CLUB OBSERVATORY

CADASTRAL



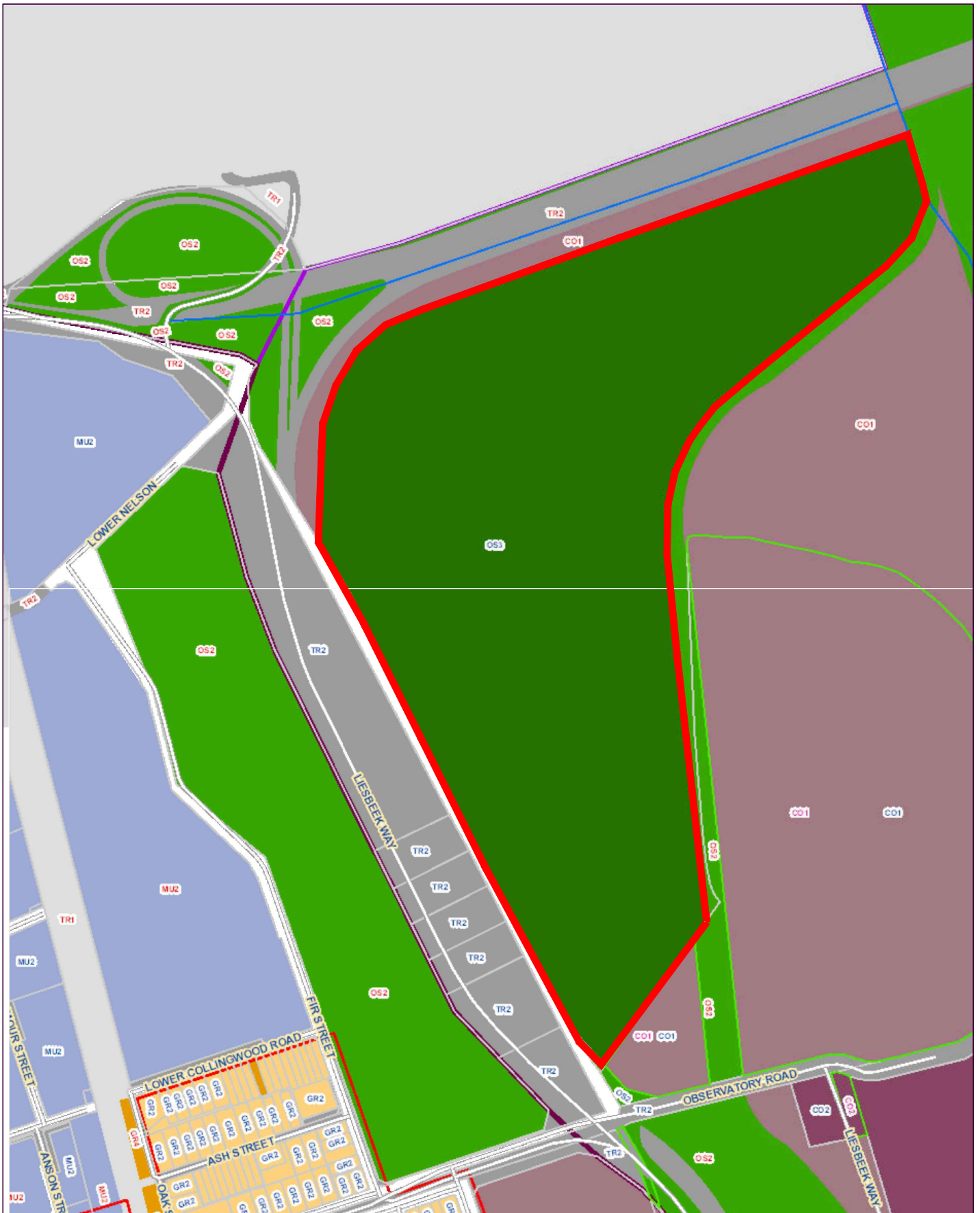
SCALE 1:5000











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AUGUST 2016

Figure 3



	GENERAL RESIDENTIAL 2		GENERAL BUSINESS 1
	GENERAL RESIDENTIAL 4		TRANSPORT ZONE 1
	COMMUNITY ZONE 1		TRANSPORT ZONE 2
	COMMUNITY ZONE 2		OPEN SPACE 2
	MIXED USE 2		OPEN SPACE 3

**THE RIVER CLUB
OBSERVATORY**

ZONING



AUGUST 2018

Figure 4

4.4 Title Deed

The title deed records show that ownership of Erf 151832 is registered in the name of Liesbeek Leisure Properties Trust. Although the title deed contains a number of restrictive conditions, none of the restrictions prohibit the planning application or proposed land uses (as confirmed by a conveyancing attorney).

4.5 Land Use

The use of the property is currently dominated by The River Club Golf & Conference Centre, including a number of conference/function facilities, a restaurant, a nine-hole golf course, golf shop and driving range, as well as internal roads and parking areas. The largest part of The River Club operation comprises open, landscaped areas with grasses and planted trees (i.e. the golf driving range and golf course).

Other, minor uses on the property include a medical facility (chiropractor) and a bicycle retail store.

4.5 Access

Currently the only vehicular access to the property is off Observatory Road, via Liesbeek Parkway. It must be noted, however, that Transport for Cape Town, the City of Cape Town's transport and traffic planning authority, has made provision for an extension of Berkley Road through the northern portion of the River Club site on the latest Road Network Plan (2018 – 2023) (refer to sub-section XX).

5. RELEVANT PLANNING DIRECTIVES AND POLICIES

5.1 Introduction

There are a number of town planning maps and spatial policies that have been adopted by the Provincial and Municipal authorities to guide development. These vary in scale and scope from the Provincial Spatial Development Framework to local area specific plans, such as the Sub-District Plan for TRUP / Salt River / Observatory / Paarden Eiland. There are also written policies relating to specific aspects of development, including densification, stormwater management and environmental management, which may influence how the authorities respond to a particular development application. The following policies are considered to be relevant to this initiative:

- Western Cape Provincial Spatial Development Framework (2014);
- Economic Growth Strategy;
- Cape Town Municipal Spatial Development Framework (2018);
- Table Bay District Plan (2012);
- Two Rivers Urban Park Contextual Framework and Phase 1 Environmental Management Plan (2003);
- City of Cape Town Comprehensive Integrated Transport Plan 2018-2022;
- City of Cape Town Floodplain and River Corridor Management Policy (2009);
- City of Cape Town Management of Urban Stormwater Impacts Policy (2009);

- City of Cape Town Densification Policy (2012);
- City of Cape Town Urban Design Policy (2013);
- City of Cape Town Tall Building Policy (2013);
- City of Cape Town Transit Oriented Development Strategic Framework (2016); and
- Parking Policy (2014);
- City of Cape Town Integrated Human Settlements Five Year Plan (2012-2017); and
- City of Cape Town Social Development Strategy.

These policies are reviewed below in order to determine the suitability of the proposal in terms of existing policy.

5.2 Western Cape Provincial Spatial Development Framework (2014)

The Western Cape Provincial Spatial Development Framework (PSDF) is an approved structure plan in terms of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) and the Land Use Planning Act 3 of 2014 (LUPA), and aims to give spatial expression to the National Development Plan and One Cape 2040 initiatives. It provides guidelines for district, metropolitan and local municipal spatial initiatives such as IDPs and SDFs. The PSDF is a broad-based document and does not control development or land use proposals at a micro-scale (e.g. individual properties). It is however relevant in setting out overarching planning policy guidelines adopted by the WCG, and major development applications need to be evaluated in terms of these policy guidelines.

The PSDF is underpinned by three interrelated themes, namely:

- Sustainable use of the Western Cape’s spatial assets (resources);
- Opening up opportunities in the Provincial space-economy (space economy); and
- Developing integrated and sustainable settlements (settlement).

Each of these spatial themes contributes to the achievement of the Western Cape’s strategic objectives and is evaluated below in relation to the proposal.

Sustainable use of the Western Cape’s spatial assets

Policy R1: “Protect biodiversity and ecosystem services”

The River Club site is described by the Freshwater Ecologist on the project team, Dr. Liz Day, as “a highly disturbed environment”. Moreover, it is stated that “*the floodplain environment on the River Club site is considered of extremely low sensitivity from an ecological perspective, with its only present functions being provision of a degree of buffering of the channel from adjacent noise and physical disturbance – such buffering derives only from the physical space provided by this area, and not from any quality of habitat it affords*”. Given the highly disturbed environment, it is not expected that the development will have a negative impact on biodiversity and ecosystem services relating to the site itself. Rather, it is proposed that significant rehabilitation will occur, particularly in relation to the existing canal running adjacent to the eastern boundary of the site.

At a conceptual level (i.e. as per Figure 4.2 contained in the Cape Town Spatial Development Framework 2012) the site is shown as part of an extensive open space system that stretches from Table Bay to False Bay (north to south) and Devil's Peak to Stellenbosch Farms (west to east). In reality, however, the site forms part of an open space system that is much more localised, extending from the River Club, at the most northern point, southwards, where it terminates at the King David Mowbray Golf Course. The site is also designated in the MSDF as 'urban inner core' (refer to Map 5d of the MSDF and/or **Figure 5** of this report).

The site does not have any biodiversity significance (either as a hotspot or as part of an ecological corridor), as determined by "*The Biodiversity Network for the Cape Town Municipal Area, C-Plan & Marxan Analysis: 2016 Methods & Results*".

Policy R2: "*Safeguard inland and coastal water resources, and manage the sustainable use of water*". *Guidelines within this policy in relation to inland water systems include calls for the "rehabilitation of degraded aquatic systems..."*

The area presents extensive opportunities for rehabilitation of the watercourses, to a point which could provide a substantially better quality of habitat than is currently the case. Development can help to finance and be integrated with these rehabilitation opportunities, and there is potential to cross subsidise environmental management in the broader site area.

Policy R3: "*Safeguard the Western Cape's agricultural and mineral resources, and manage their sustainable use*"

This policy is not applicable to the River Club proposal.

Policy R4: "*Recycle and recover waste, deliver clean sources of energy to urban consumers, shift from private to public transport, and adapt and mitigate against climate change*"

The proponent will strive to make the development sustainable through (for example) the use of greywater for irrigation, green building design and alternative forms of energy. Further, the proximity of the site to a range of existing train stations (e.g. Salt River, Observatory and Maitland) and future MyCiTi routes means that travel via public transport will be attractive to users. It is anticipated that the relatively high density proposed for the site will generate the necessary thresholds to support nearby public transport networks.

The prevailing market means that the provision of parking for private motor vehicles is a necessity. However, this may not always be the case and so the parking levels in the "super-basement" structures¹ throughout the development will be designed to allow for conversion into other uses (e.g. storage) as and when the demand for parking begins to decline.

¹ Due to the fact that the lowest level of each building will protrude more than 1.5 m above existing ground level, at this stage there are no basements proposed in the development, as per the definition of "basement" in the City of Cape Town Development Management Scheme (noting, however, that the design of all buildings is still preliminary). The super-basement referred to will therefore occur at ground level and first floor level (where 2-levels are proposed). Notwithstanding the technical definition of "basement" in the DMS, it should however be noted that the lowest level of all buildings (and in some cases the lowest two levels) will read as basement parking levels on the ground.

Policy R5: “Safeguard cultural and scenic assets”

It is recognized that part of the landscape within TRUP has high cultural significance due to its historical, social, aesthetic, architectural, scientific and environmental values, and it possesses a strong sense of place. There are a number of features within the TRUP that are of particular heritage significance, including *inter alia* the Valkenberg farmstead, the Valkenberg Hospital complex, the SAAO complex, the Alexandra Hospital, Maitland Garden Village and the Oude Molen complex.

Furthermore, in addition to sharing spatial characteristics of the TRUP, the site itself is assessed to have inherent cultural value as the setting for adjacent significant heritage sites.

Possible impacts on the socio-cultural and heritage value of the site are as follows:

- Loss of open space (i.e. golf course and golf driving range), but with enhanced public access;
- The change of the sense of place; and
- A reduction of its aesthetic value as an open space.

Townsend and Hart, in their heritage assessment of the site, argue that the most significant heritage resource in this context is the Liesbeek River. In relation to the River Club site this is the route along which the Liesbeek River flows to join with the Black River. This route is not the original river course but a man-made channel. Rehabilitation of this watercourse and a sympathetic response from proposed development to the riverine environment are factors which will help to acknowledge heritage significance.

Opening-up opportunities in the Provincial space-economy

Policy E1: “Use regional infrastructure investment to leverage economic growth”

The CoCT’s Transport and Urban Development Authority (TDA) has made provision for a new Class 2 road link to the north of the River Club site on the latest CoCT Public Right of Way – Road Network Plan (refer to sub-section 3.7). This road link, referred to as Berkley Road extension, will be a key intervention as Berkley Road, which currently has strong connections to the M5 motorway and Voortrekker Road (to the east), will be (in future) connected to Liesbeek Parkway and Malta Road (to the east). This will transform transport linkages across the Black River and improve accessibility of the site to the wider sub-metropolitan area, which will in turn unlock development potential of the site and improve access to economic opportunities for people in Cape Town.

Policy E2: “Diversify and strengthen the rural economy”

This policy is not applicable to the River Club proposal.

Policy E3: “Revitalise and strengthen urban space-economies as the engine of growth”

The River Club will be a mixed-use development in a strategically important location within the city: it is a highly accessible site located within close proximity to agglomerated places of

work such as the CBD and Paarden Eiland, and also has transport linkages to the metropolitan south-east. Moreover, the site is well located in relation to existing development corridors (i.e. Voortrekker Road corridor, Main Road corridor and Koeberg Road corridor) and can play an important role in reinforcing and integrating these three mixed use corridors, particularly the Voortrekker Road Integration Zone.

In terms of the TRUP, the River Club precinct is regarded as the western gateway into the TRUP and should, by implication, accommodate a relatively intense agglomeration of uses which support the vision of 'live, work, play', while still retaining recreational and ecological aspects.

Developing integrated and sustainable settlements

Policy S1: "Protect, manage and enhance sense of place, cultural and scenic landscapes"

The site's character comes from sense of openness, river views and place of amenity for golfers. These characteristics have been considered through *inter alia* the following design features:

- The retention of open spaces for landscaping and informal recreational purposes;
- The implementation of buffer areas adjacent to the riverine corridors;
- Rehabilitation of the Liesbeek Canal into a visually and ecologically congruent Liesbeek River corridor; and
- The incorporation of key axes and gateways so as to recognise connections to surrounding amenities (such as the SAAO and the Raapenberg Wetlands & Bird Sanctuary).

A significant environmental and heritage intervention is to rehabilitate the Liesbeek Canal adjacent to the eastern boundary of the site and implement a riverine buffer of approximately 25 - 40m along its course. This will allow for a visually and ecologically congruent / continuous riverine corridor to be established that will stretch from the lower reaches of the Liesbeek River to the confluence with the Black River adjacent to the River Club site. In order to assist to celebrate this newly created 'river corridor', it is proposed to infill the majority of the existing old Liesbeek River channel, to create a vegetated stormwater swale along its current course. A buffer area of approximately 15 – 30m between the stormwater swale and development is proposed.

The intention of this intervention is twofold. Firstly, an opportunity exists to create a visually congruent and publicly accessible riverine corridor (with resulting ecological and social benefits) along the lower reaches of the Liesbeek River. The 'old' Liesbeek River channel running adjacent the western boundary of the site is highly disturbed and lacks context in the landscape. Secondly, by infilling the 'old' Liesbeek River channel into a vegetated stormwater swale the site will become integrated with existing urban development to the west. The Berkley Road extension and increasing urban intensification to the west of the site provide a spatial logic for this integration.

Policy S2: “Improve inter and intra-regional accessibility”

The future extension of Berkley Road into Salt River will vastly improve inter regional accessibility in this part of Cape Town and will reduce the barrier effect that the M5 freeway currently has in this part of the sub-metropolitan area. Berkley Road extension has long been identified by CoCT road engineers as a key road network link, and CoCT TDA has confirmed that they would like this road link to be implemented.

Policy S3: “Promote compact, mixed use and integrated settlements”

Well located, developable land is becoming a scarce resource in Cape Town. The urban edge is coming under increasing pressure as land on the periphery of the city is developed. If Cape Town wants to embrace compact city form – as promoted in the PSDF and in the MSDF – then well located, developable land such as the River Club site needs to be strongly considered for development.

The development proposal is for compact, mixed-use development in a part of Cape Town that is currently underutilised and very fragmented. The development therefore has the potential to revitalise and integrate strategically located land within an existing urban environment.

The current TRUP initiative is being promoted as a project that can assist to ‘integrate’ the city. The railway stations surrounding the TRUP will have a key role to play in this integration process. In this light, it is hoped that as the TRUP is densified, the demand for public transport will increase, leading to subsequent upgrades of the public transport network and associated facilities, which in turn will lead to urban integration between the stations and the River Club / TRUP. All of these factors will assist to promote the concept of “compact, mixed-use and integrated settlements”.

Policy S4: “Balance and coordinate the delivery of social services”

There is already an adequate distribution of social facilities (e.g. schools, clinics etc.) at the sub-metropolitan scale, and therefore there is no need to provide further facilities. Notwithstanding, there is the possibility that a place of instruction will be developed on the site.

Policy S5: “Promote sustainable, integrated and inclusive housing in the formal and informal markets”

The proponent is committed to ensuring that 20% of the total floor space (currently approx. 150 000m²) to be built at the River Club will be devoted to residential use. Of the 20% devoted to residential use, 20% will be allocated to inclusionary housing – these units will as far as possible be integrated into the same block of apartments as the other residential units. In order to achieve this, the proponent is offering below market rental value in respect of the inclusionary housing units.

5.3 City of Cape Town Integrated Development Plan (2017 - 2022)

The City of Cape Town IDP (2017-2022) is built on five strategic focus areas (or pillars): the opportunity city; the safe city; the caring city; the inclusive city; and the well-run city. Four of these pillars are relevant to the proposed development and are discussed below.

The opportunity city: “...create the economically enabling environment in which investment can grow and jobs can be created.”

Development at the River Club will attract investment into a strategically located site within the city. Investment into the site at the scale proposed has potential to benefit both the local economy and the economy of Cape Town as a whole, including the creation of a substantial number of jobs.

The safe city: “Citizens need to be safe in their city.”

Large parts of TRUP are relatively impermeable to pedestrians and inhospitable due to secure institutions (such as Valkenberg Hospital) physical barriers (such as roads and rivers) and lack of human activity. These factors are not conducive to the long term viability of TRUP as a metropolitan urban park.

A development such as the one proposed at the River Club will promote enhanced security and increased human activity in this part of TRUP. Increased safety in TRUP should be regarded as essential in the process of reinvigorating this area for use and enjoyment by residents and visitors alike.

The inclusive city: “An inclusive city is one where everyone has a stake in the future and enjoys a sense of belonging.”

The River Club development will be mixed use and will have opportunities to live, work and play. This mix of uses, whether they be residential, commercial or recreational, will mean that the River Club is attractive to a wide array of people.

The developer has made provision for inclusionary housing at the River Club and this inclusionary housing will be integrated with the rest of the development.

The River Club will have positive externalities for the rest of TRUP because people residing in / visiting the River Club will have the opportunity to visit other parts of TRUP, and *vice versa*.

The well-run city: “Citizens need to know that their government works for them, is accountable to them and answers to them at all times.”

Early estimations are that the development will contribute approximately R40 million per annum in rates and taxes. This is substantial revenue for the City and can be utilised in a variety of positive ways, including the provision of social housing, service infrastructure upgrades and public transport upgrades and implementation.

5.4 City of Cape Town Economic Growth Strategy (2013)

The principal objective of the Economic Growth Strategy (EGS) is to grow the economy and create jobs.

South Africa currently displays features of a low economic growth, high levels of unemployment, poverty, inequality and low levels of investment. In this light, government introduced the National Development Plan (NDP), which essentially aims to eliminate poverty and reduce inequality by 2030. One of the key priorities identified in the NDP is to raise employment through faster economic growth. While this is applauded, it is a difficult task considering that it is likely that world economic growth over the next decade will be lower than it was during the previous one. The goal of faster economic growth is further complicated by the fact that three of the largest economic sectors in South Africa (and also the sectors which employ large numbers of unskilled workers), namely agriculture, mining and manufacturing, are currently volatile. Moreover, policy and political uncertainty, coupled with weak confidence, continue to discourage global investment in the economy.

The reality is therefore that most new employment will arise in domestically oriented activities, where global competition is less intense and there is a high labour component. One such activity is property development, which includes both construction and real estate. The housing market in Cape Town, in particular, is currently experiencing a boom on the back of continuing semigration from (especially) Gauteng. As such, the property development sector in Cape Town can continue to be a strong lever of economic growth, with the following factors being notable:

- Property development is an enabler of economic activity. By continuing to offer high-quality, modern and innovative developments (in addition to its other attributes) Cape Town will maintain its reputation as an attractive place in which to live, which will in turn create further opportunities in other spheres of the local economy.
- Property development is a source of employment in various industries; not only for architects, builders and engineers, but also for legal and financial advisors, surveyors, facilities managers and all those that provide goods for the construction industry.
- Property development plays a vital role in the provision of infrastructure. Development contributions resulting from new developments fund infrastructure projects that enables the city to continue to progress. Further, property rates and taxes assist to fund the provision of social housing in other parts of the city, as well as allow for investment in essential public facilities such as schools and hospitals.
- Property remains an attractive asset class for institutional investors such as pension funds, insurance companies and JSE-listed real estate investment trusts (REITs). New property development remains the driver behind this asset class.

It is contended that the River Club development may be consistent with this strategy in the following ways:

- The development will lead to significant investment and job creation;

- The development will reduce the reliance on municipal services and resource use by implementing solar power generation and the (re)use of grey water; and
- The development will facilitate the development of important public infrastructure (e.g. the extension of Berkley Road).

5.5 Cape Town Municipal Spatial Development Framework (2018)

The revised Cape Town Municipal Spatial Development Framework (MSDF) was approved by Council on 25 April 2018 and is expected to be promulgated on 1 July 2018. Once promulgated, the MSDF will be the approved structure plan for Cape Town in terms of section 34 of the Municipal Systems Act [Act No. 32 of 2000] (MSA) and the 'municipal spatial development framework' in terms of section 3(2) of the MPBL.

The MSDF identifies areas suitable for urban development and catalytic interventions to achieve spatial transformation; areas where the impact of development must be managed; and areas not suited for urban development. It guides decision-making on the nature, form, scale and location of urban development, land use, the maintenance and development of infrastructure, and the protection of environmental resources. To this end, it is underpinned by conceptual land use designations. The subject site is categorized as "urban inner core", where private sector development is incentivized. The consolidated spatial plan concept, as extracted from the MSDF, is shown in **Figure 5** overleaf.

The MSDF is further underpinned by a variety of strategies, policy statements and policy guidelines that are intended to ensure that land use is managed consistently in line with the City's vision and spatial goals and contributes to the achievement of the long-term metropolitan spatial structure.

The following key strategies are identified in the MSDF:

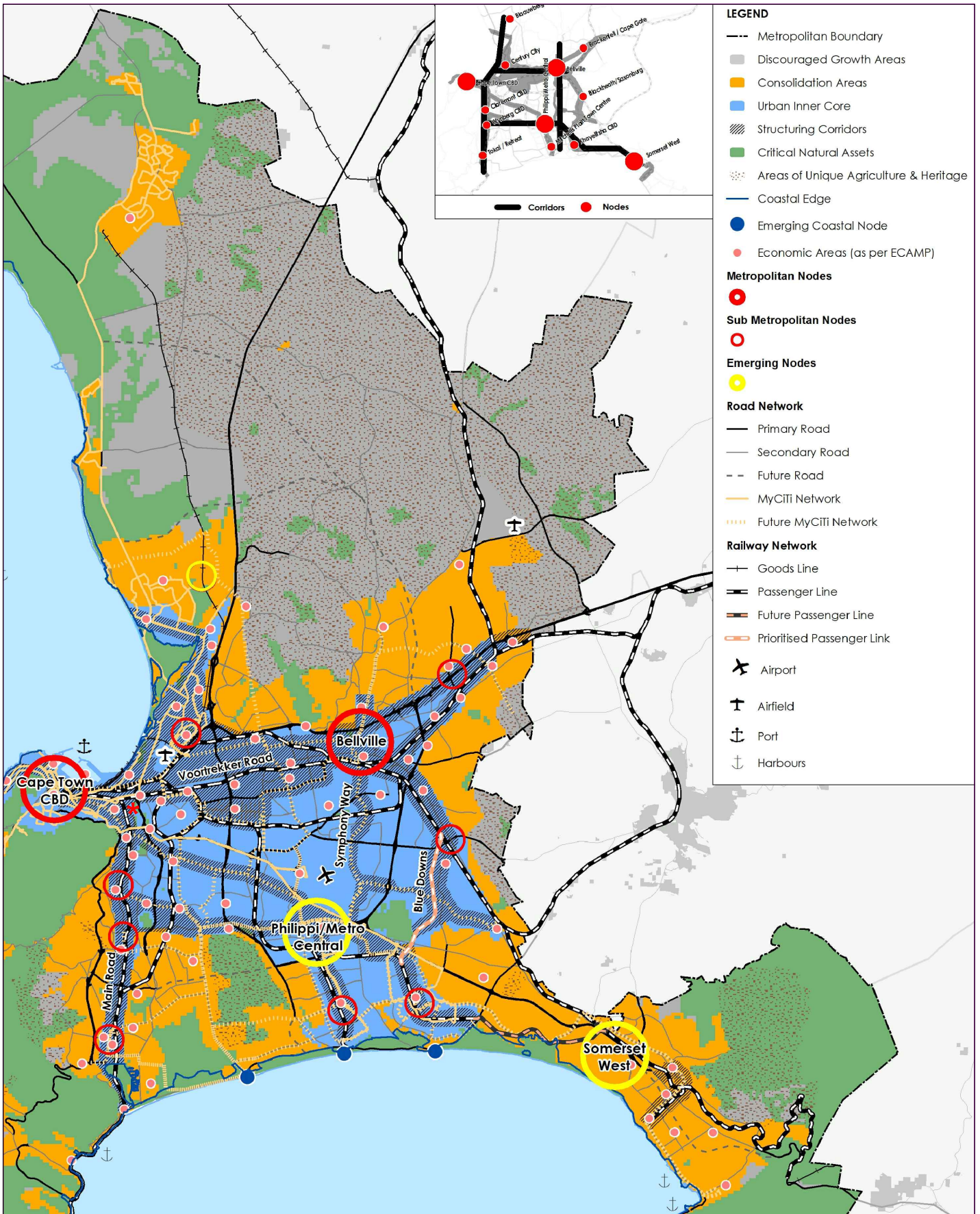
- Key Strategy 1: Build an inclusive, integrated, vibrant city.
- Key Strategy 2: Manage urban growth, and create a balance between urban development and environmental protection.
- Key Strategy 3: Plan for employment, and improve access to economic opportunities.

Each of these key strategies is analysed below in regards with the proposal and in each case compliance with the MSDF has been illustrated.

Key Strategy 1: Build an inclusive, integrated, vibrant city

Although the main intention of Key Strategy 1 is "*to build an inclusive, integrated and vibrant city that addresses the legacies of apartheid by rectifying the existing imbalances in the distribution of different types of residential development and avoiding creating new imbalances*", it is also intended to promote "*a greater mix of land uses, people and/ or densities, and the adequate and equitable provision of social facilities, recreational space and public institutions, in order to achieve integrated settlement patterns.*"

While the existing the River Club facility does reinforce the recreational character that the area currently holds, there is a sense that this is not the most optimal use of this strategically



 THE SITE

**THE RIVER CLUB
OBSERVATORY**

**EXTRACT OF THE
CITY OF CAPE TOWN MSDF**



Source : City of Cape Town 2018

AUGUST 2018

Figure 5

positioned land. This strategic position stems largely from the fact that the site is located at the 'knuckle' between two of Cape Town's primary development corridors, namely Voortrekker Road and Main Road.

According to the MSDF, development corridors *"are broad areas of high-intensity urban development centred around activity and development routes. They are characterised by a dynamic, mutually supporting relationship between land use and the supporting movement system. Development corridors are generally supported by a hierarchy of transport services that function as an integrated system to facilitate ease of movement for private and public transport users. Corridor development is focused predominantly on activity / development routes serviced by mass rapid public transport services (i.e. rail or bus rapid transport (BRT))."*

Development corridors are identified in the MSDF as areas of land use intensification. The process of land use intensification, as defined in the MSDF, refers to *"achieving a greater spectrum of mixed uses (commercial, industrial and residential) through the increased use of space, both horizontally and vertically, in accessible, high-opportunity locations"*. It is recommended that this intensification occurs primarily along the *"multi-directional accessibility grid"*, which consists of a hierarchy of routes, most notably the primary, accessibility grid, which includes *"development corridors"* (i.e. Voortrekker Road corridor and Main Road corridor). The MSDF explicitly states that *"employment-generating activities, retail development, social facilities, public institutions and intensive mixed-use and residential development should be encouraged on and adjacent to the accessibility grid, particularly the primary accessibility grid."*

By intensifying development on the land and introducing a greater mix of land uses into the River Club precinct, more people will be invited into the TRUP domain on a more regular basis. The effect will be that TRUP will become more inclusive, better integrated and more vibrant. In turn, TRUP will become a "destination place" in Cape Town.

The Table Bay District Plan does stress, however, that *"Cape Town's heritage resources, cultural landscapes, scenic routes and destination places that are fundamental to this city's unique sense of place are to be identified, conserved and managed in accordance with statutory requirements, including the NHRA"*. It is further stated that *"Cape Town's diverse historical legacies are to be celebrated and reinforced through appropriate management of urban form, architectural design, signage and artwork."*

The site is close to a various heritage resources, including the SAAO and Valkenberg Hospital. Heritage aspects have been considered as part of the Draft HIA and recommendations emanating from that study have been considered in the proposals presented in this application.

At present the River Club is very poorly integrated to the surrounding land, particularly to the south east (i.e. SAAO and Valkenberg Hospital complex). As such, this part of TRUP contains very little activity or interest for visitors. With the development of an appropriate new precinct on the River Club site there will be an opportunity to better link with the SAAO and Valkenberg Hospital complex and make these historical resources of land more integrated and more visible to the public.

It is anticipated that the River Club will be a culturally diverse place. The proponent is committed to ensuring that 20% of the total floor space (currently approx. 150 000m²) to be built at the River Club will be devoted to residential use, and that 20% of the total residential space will be allocated to inclusionary housing (up to 140 units). These units will be integrated into the same block of apartments as the other residential units as far as possible.

Besides the diverse range of people who will be living at the River Club, the development will also be accessible to the wider public (only the buildings themselves will be secured), and in particular the public will be encouraged to use the open space areas, inclusive of the rehabilitated riverine corridor. Therefore, the River Club cannot be labelled as a development that caters only for the privileged population.

Key Strategy 1 contains a number of sub-strategies and policies that aim to give direction to the overall strategy. Sub-strategies, policies and policy guidelines (as given in the MSDF) which are relevant to the proposal are listed in **Table 2**. Compliance of the proposal with the respective sub-strategies/policies is given in each case.

Table 2: Relevant sub-strategies, policies and policy guidelines (Key Strategy 1, MSDF)

Sub-strategy: Encourage integrated settlement patters		
Policy Statement	Policy Guidelines	Compliance
Policy 1 Support the intensification and diversification of land use in areas supportive of transit-oriented development	P1 Support a mix of land uses and higher-density residential development (compliant with area-specific policy frameworks) in appropriate locations in support of TOD.	<ul style="list-style-type: none"> The River Club is considered an appropriate location for the intensification and diversification of land use to occur.
Sub-strategy: Transform the apartheid city		
Policy Statement	Policy Guidelines	Compliance
Policy 3 Redress existing imbalances in the distribution of different types of residential development, and actively pursue integration outcomes in future decision making	P3.1 Support inclusionary housing in well-located areas. P3.2 Support the development of high density, rental housing in Urban Restructuring Zones, Integration Zones, and Transit Accessible Precincts. P3.3 Prioritise affordable housing in transit-oriented areas and areas of economic potential.	<ul style="list-style-type: none"> It is proposed that 20% of the total residential floor space at the River Club will be dedicated to inclusionary housing (i.e. up to 140 units).
Policy 5 Encourage public/private partnerships to develop integrated human settlements and diversify housing delivery	P5.1 Consider a package of mixed land use rights to leverage the provision of affordable/gap housing in private developments.	<ul style="list-style-type: none"> The proposed mix of uses combined with the quantum of development means that the proponent is prepared to offer rental below market value in respect of the inclusionary housing units.

Sub-strategy: Address spatial economic imbalances		
Policy Statement	Policy Guidelines	Compliance
Policy 9 Support private-sector development initiatives in Integration Zones and areas of economic potential that are easily accessible from marginalised areas		<ul style="list-style-type: none"> The river Club falls within the sphere of influence of both the MSEIZ and the VRC, and should therefore be supported.
Policy 11 Promote quality urban design and contextual fit	<p>P11.1 Consider and apply urban design guidelines when assessing development applications and formulating development conditions designing public buildings and precincts.</p> <p>P11.2 Mandatory application of the UDP is required in <i>inter alia</i> the following instances:</p> <ul style="list-style-type: none"> proposals that deviate from the approved forward planning vision and spatial policies of the City at local area scale; where regeneration of a site exceeding one hectare is envisaged; proposals including the creation of new public space and/or public or community facilities; proposals adjacent to or including watercourses or wetlands or overlying important aquifer recharge areas; Site Development Plans are required for the following group of applications: <ul style="list-style-type: none"> shopping centres (from neighbourhood to district scale centres); and commercial developments exceeding a bulk of 1 000m². 	<ul style="list-style-type: none"> A comprehensive urban design investigation has taken place and urban design indicators and recommendations have been put forward. Preliminary compliance with the UDP is discussed in section 3.11 (note that the buildings are still subject to final design details)
Sub-strategy: Enhance the unique sense of place and quality of the built form of Cape Town		
Policy Statement	Policy Guidelines	Compliance
Policy 42 Promote good urban design and ordering of the relationship between people, urban space and the environment (built and natural)	<p>P42.1 Consider and apply urban design guidelines when designing public buildings and precincts.</p> <p>P42.2 Consider using the package-of-plans approach for larger developments.</p>	<ul style="list-style-type: none"> Urban design indicators and recommendations have informed the development proposal. Urban design guidelines will inform future detailed architecture.
Sub-strategy: Enhance the value of heritage resources and scenic routes		
Policy Statement	Policy Guidelines	Compliance
Policy 12 Identify, conserve and manage heritage resources, including cultural landscapes	<p>P12.1 When making planning decisions that affect heritage resources:</p> <ul style="list-style-type: none"> consider the relevance of social and landscape contexts; ensure that heritage resources are conserved in their authentic state as far as possible; 	<ul style="list-style-type: none"> An HIA process in terms of NHRA has been undertaken. The development proposal has incorporated the

	<ul style="list-style-type: none"> • acknowledge the significance of scale; • ensure that a place's character is protected based on its context and scale (rather than protecting the character of individual sites); • ensure that new developments in historic precincts are of an appropriate scale and architectural 'language'; • ensure that advertising, roadways, pavements, colonnades, landscaping and tree planting respect the character of historic buildings and precincts. <p>P12.2 Heritage resources should be optimized as an asset supporting economic and social development and a tool to integrate communities.</p>	<p>findings of this process.</p> <ul style="list-style-type: none"> • The HIA identifies the Liesbeek River corridor as an important heritage resource (as well as the confluence with the Black River, which is the common feature that runs through the project area and beyond). This heritage resource is celebrated by the proposal.
<p>Policy 13 Ensure access to, and provide information about, public heritage resources</p>	<p>P13.1 When assessing development applications, encourage the creation of views of heritage sites where no general access is provided.</p>	<ul style="list-style-type: none"> • The development will include rehabilitation of the Liesbeek Canal, which is the most significant remaining heritage resource, and make the SAAO and other heritage resources in TRUP more accessible. • Public information material will explain the significance of these resources and contribute to a better understanding of our past.
<p>Policy 14 Create an enabling environment for urban regeneration that allows buildings and sites of historical and architectural significance to make a positive contribution to the economy and quality of urban life</p>	<p>P14.1 Encourage investment in the adaptive reuse of historical sites, facilitate integration between the conservation and adaptive reuse of heritage buildings, and promote urban regeneration strategies.</p> <p>P14.2 Discourage the demolition or inappropriate alteration of historical sites.</p>	<ul style="list-style-type: none"> • The proposed development will be a catalytic project in Cape Town that could, in turn, result in regeneration of the wider area.
<p>Policy 15 Celebrate Cape Town's diverse historical legacies through urban form, architectural design, interpretive / information signage and, where appropriate, artwork</p>	<p>P15.1 Encourage appropriate and accurate interpretation of heritage resources and recognise and develop places of memory, particularly associated with the struggle and under-represented heritage.</p>	<ul style="list-style-type: none"> • There is potential for the establishment of a cultural heritage celebration on the site, where local heritage such as First Nation related activities on this land can be celebrated.
<p>Policy 16 Provide positive spaces for cultural and social ceremonies,</p>	<p>P16.1 Encourage the provision of positive spaces for cultural and social ceremonies, civic and life-related events, including initiation sites.</p>	<ul style="list-style-type: none"> • The HIA recommends that consideration be given to establishing

life related and civic events		a green zone or open area close to the confluence of the old Liesbeek and Black Rivers. This is close to the historic crossing point (Varsche Drift) and should serve as a commemorative and celebratory area in terms of the history of contestation.
Policy 18 Provide efficient access to destination places where potential exists, especially in or near areas of high social need	P18.1 Land use management decisions must protect and enhance existing and potential destination places, including access to these places. P18.2 Identified heritage places that are also potential destination places, must be appropriately protected and developed.	<ul style="list-style-type: none"> • It is envisaged that the River Club (as well as TRUP) will become a destination place within Cape Town. • The River Club will be a place where people will have unencumbered access to the rehabilitated riverine corridor, the Raapenberg Wetlands & Bird Sanctuary and other high-quality public spaces associated with the project.

Key Strategy 2: Manage urban growth, and create a balance between urban development and environmental protection

Key Strategy 2 states that *“the City will manage the future growth and development of Cape Town in a way that balances growth, human benefit and the environment...”*

According to the freshwater ecology study performed, *“the River Club site is a highly disturbed environment, with most of the aquatic ecosystems assumed to have been associated with this area under natural conditions (i.e. extensive floodplain wetlands set around and within the broad lowland river channels of the Black and Liesbeek Rivers) having been diverted, re-aligned, canalised, infilled or drained.”*

At a metropolitan scale, the site is perceived to form part of an extensive open space system that stretches from Table Bay to False Bay (north to south) and Devil’s Peak to Stellenbosch Farms (west to east). In reality, however, the site forms part of an open space system that is much more localised, extending from the River Club, at the most northern point, southwards, where it terminates at the King David Mowbray Golf Course. Many of these spaces are relatively inaccessible and offer limited access to the general public.

Notwithstanding its location in the open space system, the site does not have any great biodiversity significance (either as a hotspot or as part of an ecological corridor), as

determined by “*The Biodiversity Network for the Cape Town Municipal Area, C-Plan & Marxan Analysis: 2016 Methods & Results*”.

The site does therefore not have substantial ecological value. In fact, the area presents extensive opportunities for rehabilitation of the watercourses, to a point which could provide a substantially better quality of habitat than is currently the case.

With regards to flooding, a comprehensive flooding analysis of the site has been undertaken. Modelling of flood conditions (conducted as part of the study) established that the root cause of flooding in this part of the city are the low-level bridges crossing the Black River (including the railway bridge immediately north-west of the River Club), which essentially have a damming effect on water south of these bridges. In order to reduce the impact of flooding at the River Club, it has been recommended to raise the level of the ground surface to an elevation slightly above the 100-year flood elevation.

Concerns about filling up a part of a flood plain and then displacing flood lines across the river onto neighbouring land have been investigated. It has been found that raising the level of the ground above the 100-year flood elevation would have very limited impact on the flood lines in other areas of the floodplain. The raising of the level of the site would therefore not have any significant detrimental effects on neighbouring properties.

The fact that the site does not hold substantial ecological value, combined with the possibility to effectively mitigate against flooding by raising the ground of the site, and future road extensions means that the River Club can be considered as an appropriate site to accommodate urban development.

Key Strategy 2 contains a number of sub-strategies and policies that aim to give direction to the overall strategy. Sub-strategies, policies and policy guidelines (as given in the MSDF) which are relevant to the proposal presented are listed in **Table 3**. Compliance of the proposal with the respective sub-strategies/policies is given in each case.

Table 3: Relevant sub-strategies, policies and policy guidelines (Key Strategy 2, MSDF)

Sub-strategy: Encourage a more compact form of development		
Policy Statement	Policy Guidelines	Compliance
Policy 19 Promote appropriate land use intensity	<p>P19.1 Intensification of land uses should be encouraged, and a better mix of land uses should be supported.</p> <p>P19.2 The location, height, scale, form and orientation of higher-density development should be guided by:</p> <ul style="list-style-type: none"> • suitability of the area such as surrounding land use character, access to public transport, proximity to employment, services and community facilities, proximity to public open space, infrastructure availability; • applicable policy frameworks such as District SDPs, local spatial plans, density plans, urban design and architectural guidelines; 	<ul style="list-style-type: none"> • The proposal is for intensive, mixed use development in a strategic location within the city. • The proposal aims to reinvigorate the Liesbeek River as a visually and ecologically congruent / continuous riverine corridor. • Views towards the mountain will be respected, with the

	<ul style="list-style-type: none"> • the spatial locations targeted for different types of densification; and • contextual informants such as the natural environment, land use, built and heritage character, sense of place, infrastructure availability and socio-economic considerations. <p>P19.3 Views of the mountain skyline and sea must be protected from inappropriate built form through, for instance, the application of the Tall Buildings Policy.</p> <p>P19.4 An urban rather than suburban model of development should be encouraged. An urban design framework/plan should be required to guide the densification of larger properties.</p> <p>P19.5 The Urban Design Policy must be consulted when preparing land development proposals. An urban design framework/plan may be required in instances where identified urban design objectives apply.</p>	<p>views towards Devils Peak, in particular, being celebrated.</p> <ul style="list-style-type: none"> • The development model is urban as opposed to suburban. • Preliminary compliance with the UDP and Tall Buildings Policy is discussed in sections 3.11 and 3.12, respectively (note that the buildings are still subject to final design details).
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Sub-strategy: Facilitate urban development

Policy Statement	Policy Guidelines	Compliance
<p>Policy 20 Enable resource efficient development</p>	<p>20.1 Promote green buildings in line with relevant guidelines.</p> <p>20.2 Promote low carbon development i.e. small-scale energy generation, accessible mass transit and higher densities in line with the TOD spatial framework, efficient urban form, accessible non-motorised transport networks, appropriate mix of land uses, inward growth and development.</p>	<ul style="list-style-type: none"> • Buildings will be designed in accordance with green technology and energy efficient principles. • The development is within easy walking distance of public transport facilities.

Sub-strategy: Appropriately protect the citizens of Cape Town

Policy Statement	Policy Guidelines	Compliance
<p>Policy 21 Direct urban growth away from risk areas (Map 5a)</p>	<p>21.1 No inappropriate urban development should be permitted in <i>inter alia</i> areas subject to regular flooding or flood risk, or related buffer areas. Existing developments in these areas may require mitigation measures and limits on the further enhancement of development rights.</p>	<ul style="list-style-type: none"> • The site is not reflected as a “flood prone area” in Map 5a of the MSDf. • A comprehensive surface water hydrology study (including an assessment of the proposal to raise the level of the ground of the site above the 100-year floodline) has concluded that the proposed development would have an insignificant effect on flooding in the vicinity of the existing River Club site.

<p>Policy 22 Discourage urban growth in areas at risk from natural hazards / coastal processes which are expected to be amplified by climate change impacts</p>	<p>22.1 Intensification of development in areas of known risk from natural hazard threat should be discouraged.</p> <p>22.2 Where existing property in risk areas is identified, initiatives that enable adaptation and reduce risk must be encouraged.</p> <p>22.4 The transfer of risk from a property to be developed to an already developed area or to an as yet undeveloped area that is not currently at risk should be avoided.</p>	<ul style="list-style-type: none"> • The impacts of climate change on flooding at the River Club was considered in the surface water hydrology study.
<p>Sub-strategy: Appropriate management of development impacts on natural resources and critical biodiversity impacts</p>		
<p>Policy Statement</p>	<p>Policy Guidelines</p>	<p>Compliance</p>
<p>Policy 23 Increase efforts to protect and enhance biodiversity networks at all levels of government.</p>	<p>23.1 Utilise the Bioregional Plan to assess the impact of development on critical biodiversity areas and endangered species, and make decisions related to the city's biodiversity network based on the development guidelines in the relevant District SDF, the Bioregional plan and up-to date mapping of the city's biodiversity network.</p> <p>23.2 Consolidate existing conservation areas and protected areas, especially where they provide buffering from climate change impacts.</p> <p>23.3 Biodiversity areas shall be connected and existing linkages protected, maintained and improved.</p>	<ul style="list-style-type: none"> • From an ecological standpoint, the site is highly transformed and disturbed. • Ecological and open space 'corridors' are proposed to extend across the site and along the river system.
<p>Policy 24 Reduce the impact of urban development on river systems, wetlands, aquifers, aquifer recharge areas and discharge areas</p>	<p>P24.2 Land use management decisions should take the following WSUD principles into account:</p> <ul style="list-style-type: none"> • maintain the natural hydrological behaviours of catchments; • protect water quality of surface and groundwater systems; • minimise demand on the potable water supply system; • minimise sewage discharges into the natural environment; and • integrate water with the landscape to enhance visual, social, cultural and ecological values. <p>P22.3 Development should not unduly compromise the freshwater ecosystems, especially high productivity aquifers and their ability to be utilised as water sources.</p>	<ul style="list-style-type: none"> • Rehabilitation of the lower reaches of the Liesbeek River will improve hydrological conditions water quality and the aquatic environment. • The riverine corridor will become an important amenity to be appreciated by residents and visitors.

Key Strategy 3: Plan for employment, and improve access to economic opportunities

Key Strategy 1 states that *“the City will plan for employment and support economic growth by responding appropriately to the spatial needs and requirements of the economic sectors that are attracted to and function within Cape Town”*.

In the section which analyses Cape Town’s economy and the sector trends, the MSDF specifically identifies the location preferences of Cape Town’s economic subsectors, including:

- *Tourism and hospitality: access to well-located accommodation, entertainment, natural amenities, cultural attractions, transport and visitor information services.*
- *Business and financial services: Corporate offices, large warehouse structures, business process outsourcing.*
- *Office: Flexible, secure, accessible, often stand-alone premises that are close to suburbs, clients and services.*
- *Media, film and knowledge industries: Small office space and small workshop/design spaces, proximity/clustering, affinity groups.*
- *Retail: Points of high accessibility, visibility and security that facilitate agglomeration.*

The proposed development will be capable of accommodating all of these economic subsectors and it is evident that the site is well located for these sectors of the economy: it is highly accessible by private motor vehicle, public transport (particularly rail) and NMT modes; it is surrounded by natural amenities (TRUP), recreational activities (e.g. Hartleyvale sports grounds, river running trails, golf courses) and cultural attractions (SAAO); it will include a residential component built at relatively high-density; and it is highly visible and secure. The proposal for the site will therefore “respond appropriately to the spatial needs and requirements of the economic sectors that are attracted to and function within Cape Town”.

Key Strategy 3 also contains a number of sub-strategies and policies that aim to give direction to the overall strategy. Sub-strategies, policies and policy guidelines which are relevant to the proposal are summarised in **Table 4**. A high degree of compliance of the proposal with the respective sub-strategies/policies is evident.

Table 4: Relevant sub-strategies, policies and policy guidelines (Key Strategy 3, MSDF)

Sub-strategy: Promote inclusive, shared economic growth and development		
Policy Statement	Policy Guidelines	Compliance
Policy 32 Strengthen and improve access to existing business nodes through place-based and connective interventions	32.2 Support continued job-generating inward investment in well-performing nodes (growth nodes) by: <ul style="list-style-type: none"> • Partnering with the private sector to co-finance growth-enabling connective infrastructure • Partnering with property owners and community stakeholders to manage the business environment through City Improvement Districts • Partnering with investment promotion agencies to drive place marketing and stage events. 	<ul style="list-style-type: none"> • The River Club will a catalytic project for the TRUP initiative, as well as the MSEIZ and VRC. • The development will assist to finance the long planned Berkley Road extension, which will in turn will help to integrate the surrounding communities of Maitland and Salt River.
Policy 33 Encourage uptake of available incentives to	P33.1 The City will facilitate investment in the UDZs	<ul style="list-style-type: none"> • The River Club falls on the outer boundary of a UDZ. Therefore

encourage economic investment		development at the River Club could be a catalyst for further development within the UDZ, and will make a significant economic contribution to the city.
Sub-strategy: Integrate land use, economic and transport planning and support the sustainable operation of the integrated public transport network		
Policy Statement	Policy Guidelines	Compliance
Policy 35 Maintain, improve and expand an integrated public transport service informed by the transport network	<p>P35.2 Encourage land use intensification in the following areas:</p> <ul style="list-style-type: none"> • along identified activity routes, development routes & activity streets; • at identified nodes, key intersections, stations & modal interchanges; • in line with the TOD Strategic Framework, other relevant and applicable policies, the DMS and the District SDPs. <p>P10.3 Implement reductions in parking requirements in areas well served by public transport.</p>	<ul style="list-style-type: none"> • The site is within 500m radius of Observatory and Koeberg train stations and will support public transport services. • High intensity, mixed use development is proposed along an existing public transport routes. • Consideration will be given to appropriate parking ratios and future re-use of parking areas.
Policy 36 Ensure that new urban development is supported by appropriate public transport infrastructure and services	<p>36.1 When assessing development applications, the City must consider:</p> <ul style="list-style-type: none"> • the immediate future availability of adequate public transport services and ensure that adequate provision is made for public transport routes and facilities in the layout. • the ability of development layouts to facilitate public transport provision, and encourage road structures that provide logical and accessible public transport routes. • the form and scale of land use responds appropriately (in terms of density and land use mix) to existing and proposed public transport routes and station locations. • the location and design of stations which should allow for future extension to accommodate additional capacity and ancillary functions, such as retail and/or social facilities, where appropriate. 	<ul style="list-style-type: none"> • The proposal supports existing public transport in the vicinity. • High intensity, mixed use development is appropriate near to existing public transport services.
Policy 37 Include walking and cycling as essential components of land use planning	<p>P37.1 NMT infrastructure should be considered as an essential component and prioritized in the following locations:</p> <ul style="list-style-type: none"> • along routes with high pedestrian volumes; • around public transport interchanges and public facilities; • along activity routes and development routes; • where there are high pedestrian volumes. <p>37.3 In high-density developments, sufficient space should be provided to accommodate NMT.</p>	<ul style="list-style-type: none"> • NMT infrastructure forms an important part of the proposal, with pedestrians enjoying access through the site.

<p>Policy 38 Review parking policies to encourage use of the most context-specific and appropriate modal travel choice</p>	<p>38.1 Deviations from standard parking requirements prescribed in the DMS should be guided by the City's Parking Policy.</p> <p>P38.2 Consider reductions in parking requirements in urban nodes, mixed use areas, development corridors, activity routes, development routes, activity streets and other areas deemed to be well served by public transport in line with the relevant zoning scheme, the District SDPs and other applicable policies.</p> <p>P38.3 Encourage building design that provides a landscaped/active street level interface where the provision of ground floor parking cannot be avoided.</p> <p>38.5 Encourage the design of parking areas (inside and outside of buildings) to be sufficiently flexible to allow for its conversion to alternative uses over time.</p>	<ul style="list-style-type: none"> • Consideration will be given to appropriate parking ratios and future re-use of parking areas. • Minimal on-street parking is provided, with the majority of parking being provided in the "basement" structures. • Notwithstanding the parking provided, the space allocated for parking will be capable of being retrofitted in the future in order to accommodate alternative uses (e.g. storage etc.).
Sub-strategy: Integrate land use, economic and transport planning		
Policy Statement	Policy Guidelines	Compliance
<p>Policy 39 Reinforce and enhance metropolitan development corridors anchored by the Integrated Public Transport Network (IPTN)</p>	<p>P39.1 Support the intensification of land uses in appropriate locations along metropolitan development corridors in line with the relevant zoning scheme, the District SDPs and other applicable policies.</p> <p>P39.2 Appropriately support trip attracting and trip generating land uses along development corridors to encourage multidirectional movement patterns.</p> <p>P39.3 Implement reductions in parking requirements in line with the relevant zoning scheme, the District SDPs and other applicable policies.</p>	<ul style="list-style-type: none"> • Intensive development in this location will reinforce both the Voortrekker Road and Main Road development corridors.
<p>Policy 40 Encourage medium to higher-density forms of urban development to locate on or adjacent to bus, rail or intermodal stations, as well as along development corridors and in urban nodes</p>	<p>P40.1 Encourage mixed land-use intensification on or adjacent to secondary arterials and BRT routes and around nodes, high order stations and modal interchanges in line with the TOD Strategic Framework, DMS, the District SDPs and other applicable policies.</p> <p>P40.5 On routes where no public transport is currently provided or planned, encourage an appropriate level of development and more intense mixed land uses to locate adjacent to roads commensurate with the function, capacity, access requirements and class of the road. This refers to all road classes as per the Cape Town Road Network Hierarchical Classification System, particularly higher road classes (freeways, primary arterials, secondary arterials and expressways).</p>	<ul style="list-style-type: none"> • Intensive development in this location will reinforce both the Voortrekker Road and Main Road activity routes. • It is not considered that the River Club development will detract from the nearby activity routes, but will rather reinforce them. • Higher intensity development is proposed to occur along Berkley Road extension.

	<p>P40.6 Opportunities along these roads/ routes can further be extended/ linked to parallel streets and side roads in line with applicable policies, the DMS, District SDPs, and applicable local plans. This will contribute towards establishing the thresholds required for the sustainable provision and operation of public transport.</p>	<ul style="list-style-type: none"> • Provision for future MyCiTi bus infrastructure has been made (refer to sub-section 8.6.1)
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The MSDF presents a major shift in thinking when compared to the CTSDF 2012 in that a much stronger emphasis is placed on the principles of Transit-Oriented Development (TOD). As such, the MSDF advocates the following:

- *structuring the future urban form and function of the City around the existing and emerging public transport network and specifically the 98 rail stations and 42 Bus Rapid Transit (BRT) stations;*
- *reducing urban sprawl and creating more housing opportunities in accessible locations with a focus on Integration Zones and an Urban Inner Core;*
- *optimising associated future land use and transport efficiencies; and*
- *increasing the structural and resource efficiency of the city by, for example, reducing the time, cost, distance and CO² emissions associated with daily commuting.*

With regards to the existing and emerging public transport network, the following should be noted:

- TRUP is identified in the MSDF as a Provincial project holding TOD significance;
- The River Club site falls within 500 metres of Observatory and Koeberg train stations, which means that it falls within a “Transit Accessible Precinct” (TAP);
- TAPs and their immediate surrounds are identified in the MSDF as areas of land use intensification;
- Provision has been made for future MyCiTi stops as part of the River Club development proposal.

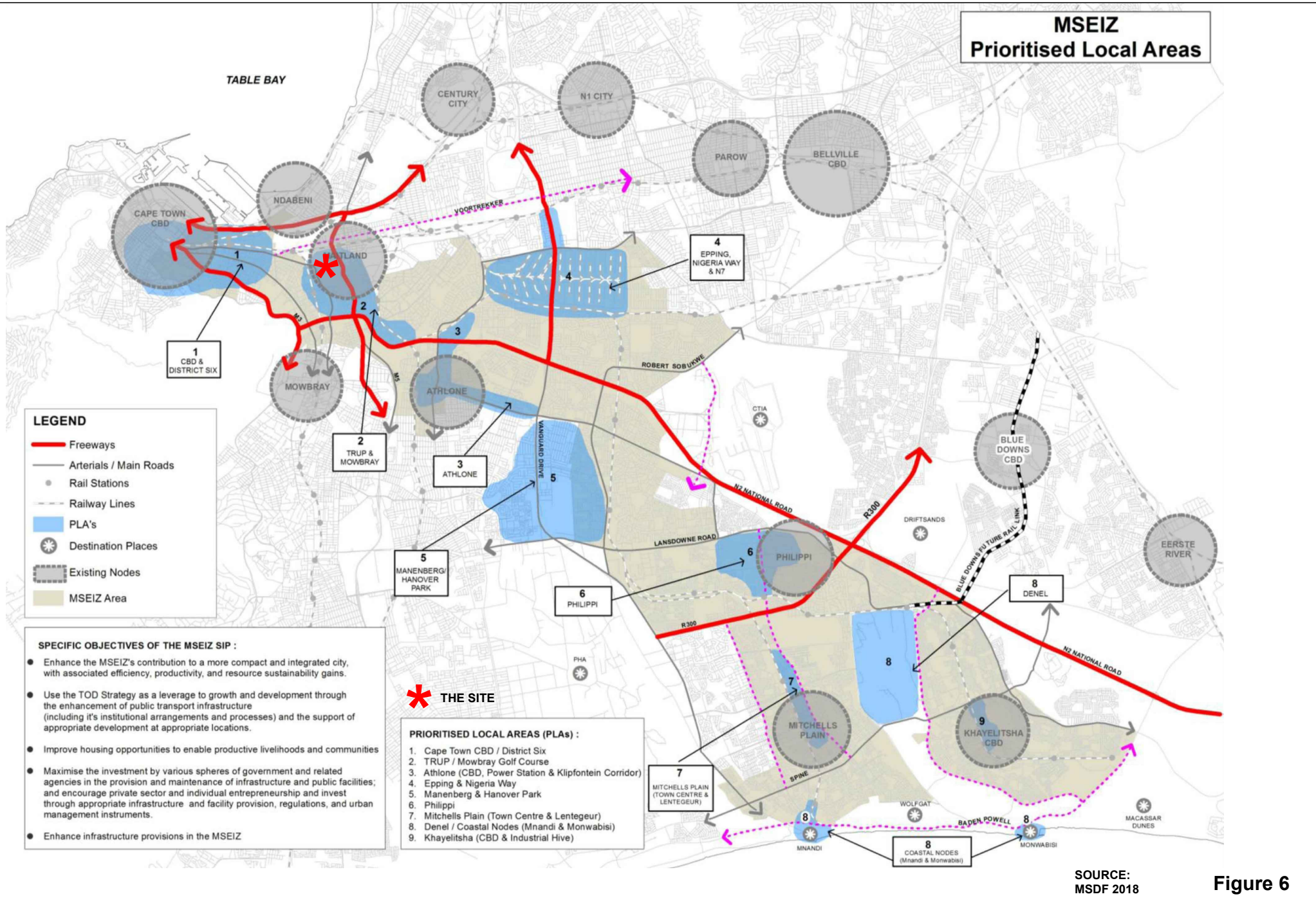
In addition to falling within close proximity to the public transport network, and therefore promoting TOD, the River Club site falls within the broader Metro South-East Integration Zone (MSEIZ) (refer to **Figure 6**), as well as within the broader Voortrekker Road Corridor Integration Zone (VRC) (refer to **Figure 7**). According to the MSDF, Integration Zone’s “represent the City’s commitment to plan, fund and implement projects and approaches that are best able to transform the spatial structure of the City through effective transport links and spatially defined mobility and activity corridors”.

The location of the site in relation to the VRC and MSEIZ, in particular, means that it is a highly strategic site for development.

Other factors worth noting when considering the proposal in relation to the spatial plans included in the MSDF include the following:

- The site is well located in relation to places of commercial opportunity (Salt River / Woodstock) and industrial growth (Maitland, Ndabeni) (Diagram 12, pg. 26).
- The site is not reflected as a “flood prone area” in *Map 5a: Precautionary Areas* (pg. 68).

MSEIZ Prioritised Local Areas



LEGEND

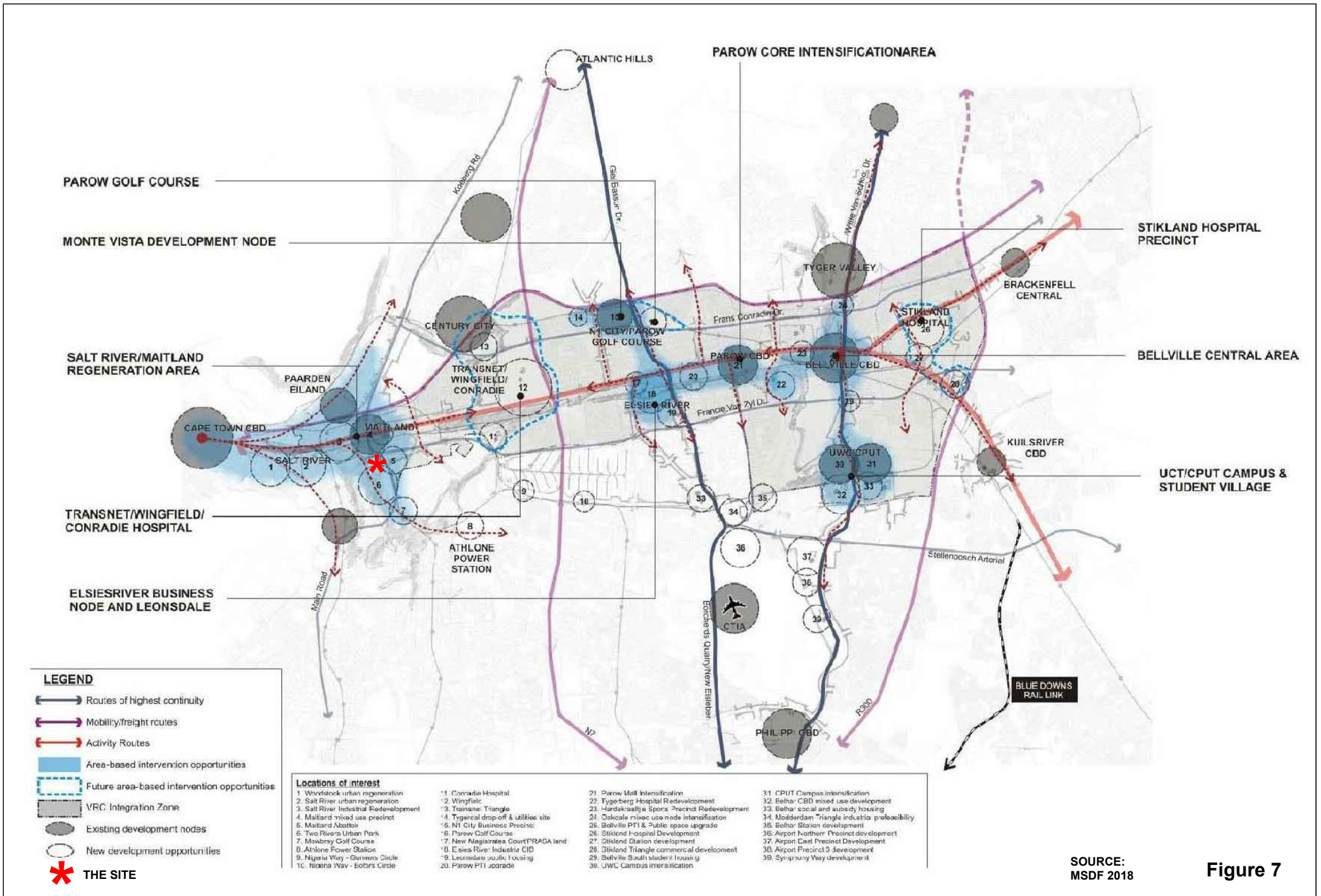
- Freeways
- Arterials / Main Roads
- Rail Stations
- Railway Lines
- PLA's
- ☼ Destination Places
- ⊖ Existing Nodes
- MSEIZ Area

- SPECIFIC OBJECTIVES OF THE MSEIZ SIP :**
- Enhance the MSEIZ's contribution to a more compact and integrated city, with associated efficiency, productivity, and resource sustainability gains.
 - Use the TOD Strategy as a leverage to growth and development through the enhancement of public transport infrastructure (including its institutional arrangements and processes) and the support of appropriate development at appropriate locations.
 - Improve housing opportunities to enable productive livelihoods and communities
 - Maximise the investment by various spheres of government and related agencies in the provision and maintenance of infrastructure and public facilities; and encourage private sector and individual entrepreneurship and invest through appropriate infrastructure and facility provision, regulations, and urban management instruments.
 - Enhance infrastructure provisions in the MSEIZ

- * THE SITE**
- PRIORITISED LOCAL AREAS (PLAs) :**
1. Cape Town CBD / District Six
 2. TRUP / Mowbray Golf Course
 3. Athlone (CBD, Power Station & Klipfontein Corridor)
 4. Epping & Nigeria Way
 5. Manenberg & Hanover Park
 6. Philippi
 7. Mitchells Plain (Town Centre & Lentegeur)
 8. Denel / Coastal Nodes (Mnandi & Monwabisi)
 9. Khayelitsha (CBD & Industrial Hive)

SOURCE:
MSDF 2018

Figure 6



SOURCE: MSDF 2018

Figure 7

- The site is not identified as falling within “CBA”, “Core 1”, “Core 2”, “Buffer 1” or “Buffer 2” areas in *Map 5b: Biodiversity Network and Marine Protected Areas* map (pg. 69).
- The site falls within a “proposed heritage area”, as identified in *Map A2: Heritage Resources* (pg.119).
- The site forms part of a “natural destination area”, as identified in *Map A3: Tourism Assets* (pg.120).
- The site is identified as “constrained land” on *Map G1: Developed, developable and constrained land* (pg. 223).

5.6 Table Bay District Plan (2012)

In terms of section 20(1) of the MPBL, any structure plan listed in Schedule 1 of the MPBL, including the Table Bay District Plan, and which remains in force in terms of section 16(1)(b) of LUPA, is deemed to be a district spatial development framework in terms of the MPBL. The District Plan is informed by the city-wide SDF and its purpose is to guide spatial development processes in the Table Bay District over an approximate 10-year planning period.

As with the MSDF, the Table Bay District Plan is underpinned by a composite Spatial Development Plan. This plan identifies ‘broad spatial planning categories’ for all land in the Table Bay District, as well as various structuring elements that are critical to the future development and restructuring of the City. It is evident in **Figure 8**, which is a plan for *Sub-District 3 TRUP / Salt River / Observatory / Paarden Eiland*, that the land on which the River Club is situated is categorised as a mixture of “open space”, “core 2” and “buffer 1”.

Notwithstanding compliance with the MSDF, it is apparent that the River Club development proposal is in conflict with the Table Bay District Plan’s land use categorisation for the site. According to the Table Bay District Plan, if a “...*proposal is in conflict with the statutory designation and/or text of the District SDP and/or any other structure plan in terms of s4(10) of LUPO...*” then “...*the CoCT can consider condoning a deviation from the approved policy. This deviation should be fully motivated as part of any LUPO or building plan applications that may be required.*”

The introduction of the MPBL, and specifically section 16 of the MPBL, means that point in time it is necessary to submit an application to the CoCT in order to deviate the Table Bay District Plan. Such application is included in this composite application and is motivated in sub-section 12.2. However, despite the need to deviate from the Table Bay District Plan at this stage, it should be noted that the MSDF, which will come into effect on 1 July 2018, identifies the land as “urban inner core” and therefore supersedes the Table Bay District Plan according to the “consistency principles and post-2012 amendments” as contained in *Technical Supplement D: Regulatory Requirements and Informants* of the MSDF:

“The MSDF will be implemented in accordance with the consistency principle that applies to the plans and policies of different spheres of government. In terms of the consistency principle, lower-order spatial plans and policies must be consistent with higher-order spatial



THE SITE		THE RIVER CLUB OBSERVATORY	
Broad Provincial Spatial Planning Categories		TABLE BAY DISTRICT PLAN SUB - DISTRICT 3	
<ul style="list-style-type: none"> Core 1 Core 2 Buffer 1 Buffer 2 Open Space Mixed Use Intensification Building Industrial Development 	<ul style="list-style-type: none"> Urban Civic Upgrade Strategic Sites Scene Routes Critical Public Link Waterbodies 50 yr Floodline 100 yr Floodline Coastal Edge 	<ul style="list-style-type: none"> Railway Line Upgrade Railway Station Upgrade New Railway Lines New Stations IRT Routes : <ul style="list-style-type: none"> Rh1A Trunk Route stops 1A, Trunk Service 	<ul style="list-style-type: none"> Destination Places WWT Inclusionary Housing Civic Precincts : <ul style="list-style-type: none"> Higher order Local Nodes : <ul style="list-style-type: none"> Local Node District Node
		Landuse Transport Network : <ul style="list-style-type: none"> Activity Route Activity Street Development Routes District Structuring Routes Connector Route Proposed Connector Route Proposed Development Routes Urban Freeway 	
		AUGUST 2018	
		Figure 8	

Source : City of Cape Town

plans and policies. Should the provisions of spatial plans of a lower order in the hierarchy (including district and local spatial development frameworks and other existing local-scale structure plans) be deemed to be inconsistent with the MSDF, the MSDF will take precedence.”

5.7 Two Rivers Urban Park Contextual Framework and Phase 1 Environmental Management Plan (2003)

The aim of the Two Rivers Urban Park Contextual Framework and Phase 1 Environmental Management Plan (TRUPCF) prepared in 2003 was to provide a contextual framework for future development of the TRUP. The study encompassed the entire TRUP area, including the SAAO, Valkenberg farmstead, Valkenberg Hospital, Alexandra Hospital, Maitland Garden Village, the Oude Molen complex and the River Club.

The report contains specific guidelines relating to future management of development at the River Club and the SAAO. The current development proposal for the River Club is not consistent

with a number of the principles and guidelines outlined in the TRUPCF and would be a deviation from policy currently associated with the site².

With regards to the guidelines contained in the TRUPCF of 2003, the development proposal for the River Club represents a paradigm shift for the way the site can be developed. Refer to section 9 of this report for motivation as to why this site should accommodate more intensive development.

Notwithstanding the inconsistency with the TRUPCF, the “consistency principles and post-2012 amendments” as contained in *Technical Supplement D: Regulatory Requirements and Informants* of the MSDF means that the land use designation and associated guidelines contained in the MSDF supersedes the guidelines contained in the TRUPCF.

5.8 City of Cape Town Comprehensive Integrated Transport Plan 2018-2023

The Comprehensive Integrated Transport Plan (CITP) 2018 – 2023 gives insight into the City of Cape Town’s transport network and future proposals. In particular, it describes how the CoCT will set about the delivery of integrated, intermodal and interoperable transport and its related road, stormwater, bridge and rail network in Cape Town and across the Metro area.

The CTIP includes the City’s Public Right of Way (RoW) – Road Network Plan, which depicts the existing and future planned road network in Cape Town. A key informant for development on the River Club site is the identification of a future Class 2 arterial road immediately adjacent to the northern boundary of the River Club site (refer to **Figure 9** overleaf). The intention of this future road link is to connect Berkley Road (to the east of the site) with Malta Road (to the west). This future road link is referred to in the CTIP as “Berkley Road extension”.

² It should be noted that the TRUP LSDF, run in tandem by the WCG and the CoCT, is currently being undertaken and will result in new development initiatives and planning guidelines for the TRUP area.

A road reserve has been included as part of Remainder Erf 15326 Cape Town and is zoned *Transport 2* in recognition of the future road link (refer to the zoning map in **Figure 4**).

The future Class 2 road link has been taken into account in the proposal for the River Club site and implementation of the project will help to cross-subsidise the cost of this road.

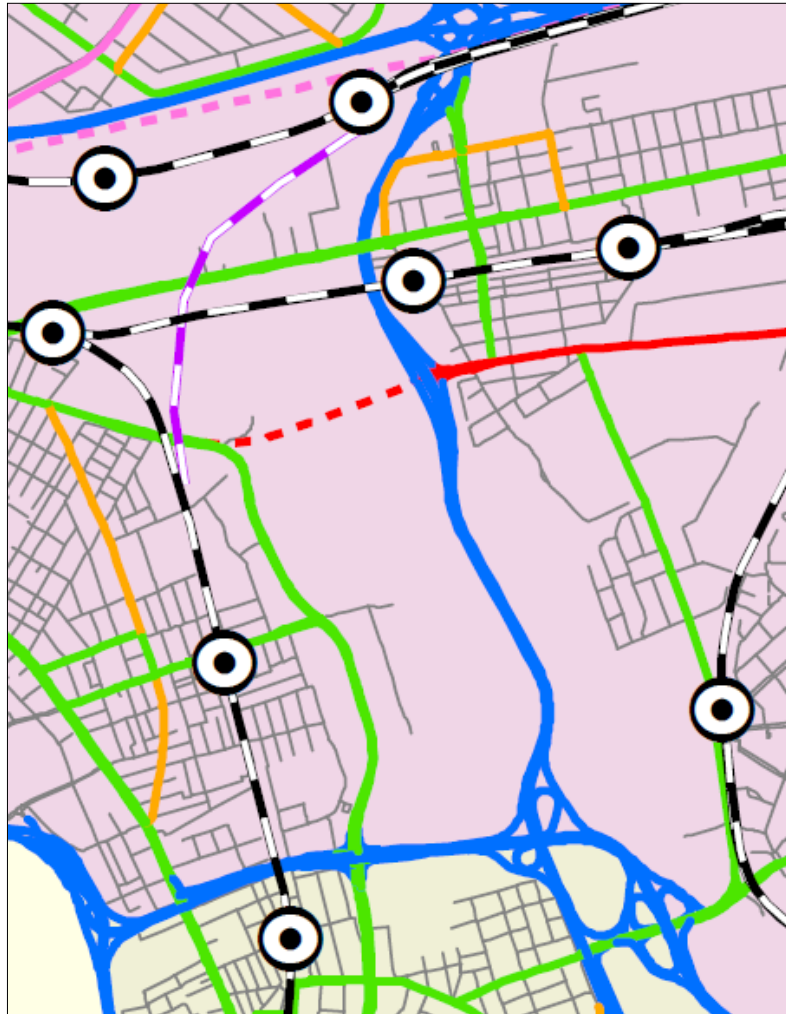


Figure 9: An extract of the City of Cape Town's Public Right of Way – Road Network Plan 2018 – 2023 showing a potential Class 2 road link immediately adjacent to the northern boundary of the River Club site (illustrated by the red dashed line) (Source: City of Cape Town)

5.9 City of Cape Town Floodplain and River Corridor Management Policy (2009)

The City of Cape Town Floodplain and River Corridor Management Policy (2009) seeks to balance flood risk, ecological and socio-economic considerations in developments near watercourses and wetlands. The guidelines contained in this policy are pertinent to The River Club because of its position in the floodplain of the Black River / Liesbeek River.

The following key statements are made in the policy:

- *The permissible extent and nature of land use, development or activities within floodplains must be subject to stringent evaluation and control in the interests of public safety.*

- *Obstruction to the free flow of water within the 20-year floodline area shall not be permitted.*
- *Between the 50 and 100-year floodlines, some developments or activities may be permitted, subject to such conditions as the City may in its discretion impose*
- *Developments with particular evacuation or emergency response issues and high-risk developments will only be permitted above the 100-year floodline.*
- *Any proposed development or redevelopment within the floodplain must be supported by a report by a registered professional engineer to ensure that any new or existing structure can withstand the forces and effects of floodwaters.*
- *Watercourses and wetlands with their adjacent riparian areas and associated fauna and flora must be protected or “buffered” from the impacts of adjacent development or activity.*

The policy outlines various assessment criteria for proposals within existing floodplains. In the case of the River Club, the following criteria are applicable:

- *A registered Engineering Professional must be engaged by the developer to satisfactorily demonstrate and certify that:*
 - *the activity / development will not materially increase flood hazards for other property owners or adversely affect flood behaviour or the stability of river channels; and*
 - *any structure can withstand the forces and effects of flowing floodwaters, including scour of foundations, debris forces and buoyancy forces.*
- *Floors must be above the 1:100-year flood level.*
- *Basements (non-habitable purposes) to be flood-proofed to the 1:50-year flood level.*
- *A registered Environmental Professional (Aquatic Ecologist) must be engaged by the developer to determine the ecological buffer (if not available) and to satisfactorily demonstrate and certify that:*
 - *the activity / development will not negatively impact on the present condition of the watercourse or wetland; or*
 - *the activity / development will improve the condition of the watercourse or wetland from its present state.*

The above criteria have all been considered. However, deviations are required from the following sections of the City’s Floodplain and River Corridor Management Policy:

Section 9.2: Flood Management and Public Safety

Permission to develop / obstruct the free flow of water within the 20-year flood line area would need to be granted.

Section 10.5: Table 1: Framework for the assessment of Proposals

The current assessment framework doesn’t allow development (including filling) within the 50 year flood plain. It notes: *“In exceptional circumstances minor “smoothing” of the 50 / 100 year flood line may be considered, provided equivalent compensatory stage storage volume is provided within the development precinct”*. As the proposed development falls under the 50-year flood line, a deviation from the policy, allowing the developer to fill (considered development) would need to be granted.

More information regarding stormwater hydrology is provided in sub-section 4.1.

5.10 Management of Urban Stormwater Impacts Policy (2009)

Urbanisation typically impacts on natural watercourse health in two key ways:

- The *quantity* of stormwater runoff is increased as the proportion of impervious area within a catchment is increased, leading to larger peak flows and more frequent runoff which may have detrimental effects on river health and can cause flooding in downstream areas.
- The *quality* of runoff is also negatively impacted with additional pollutant loads in the form of gross pollutants, suspended sediments and various other pollutants such as nitrogen, phosphorus and heavy metals.

The Management of Urban Stormwater Impacts Policy (2009) has been prepared by the CoCT's Catchment, Stormwater and River Management Branch in order to address these stormwater impacts and ensure that new developments incorporate water sensitive urban design elements.

According to the policy, the River Club site fits within the category of a "Brownfield and Existing Development Site (area > 50 000m²)". Specific pollutant objectives and stormwater flow restrictions for the such developments are as follows:

Stormwater quality:

- ½-year Return Interval (RI), 24-hour duration storm is the design storm for stormwater quality;
- 80% reduction in post-developed suspended solids through on-site treatment;
- 45% reduction in post-developed total phosphorus; and
- Litter, oil and grease traps at pollutant sources.

Stormwater quantity:

- 24-hour extended detention of the 1-year RI, 24-hour storm event;
- Up to 10-year RI peak flow reduced to pre-development level;
- Up to 50-year RI peak flow reduced to existing development level; and
- Evaluate the 100-year RI storm and its impact upon the stormwater system.

However, since the site is located within a flood plain and its surrounds are inundated even during low order storm events, such as the 1:2 year storm event, attenuation of stormwater adds no significant value and thus the rate at which runoff is released from the development becomes irrelevant.

Thus, the following deviations from the Stormwater Policy in terms of attenuation are requested:

- b. Annexure table: 24 hour extended detention of the 1-year RI, 24h storm event in a greenfield development > 50 000 m²

Permission to deviate from this requirement.

- c. Annexure table: Up to 10-year RI peak flow reduced to pre-development level in a greenfield development > 50 000 m²

Permission to deviate from this requirement.

- d. Annexure table: Up to 50-year RI peak flow reduced to existing development levels in a greenfield development > 50 000 m²

Permission to deviate from this requirement.

5.11 City of Cape Town Densification Policy (2012)

The CoCT Densification Policy was formulated in response to growing concerns that “*rapid and continuous low-density development is threatening the long-term sustainability of Cape Town*”. Densification is defined in the policy as “*the increased use of space both horizontally and vertically within existing areas / properties and new developments accompanied by an increased number of units and / or population thresholds*”. The policy suggests a number of ways in which densification can occur, including “*higher-density infill on vacant and underutilised land throughout the built area of the city*”. The benefits of densification are identified in the policy and include *inter alia*:

- *Reduction in the consumption of valuable / non-renewable resources;*
- *The facilitation of increased economic opportunities;*
- *More efficient service provision;*
- *Improvement in housing patterns and choice of house type;*
- *Contribution to urban place making; and*
- *Improved safety.*

The Densification Policy is underpinned by policy statements which “should guide all density related land use decisions”. The policies relevant to this application are discussed in more detail below.

DP1: “*The City aims to achieve a minimum, average gross base density of 25 dwelling units/ha in the next 20 - 30 years and will aim for a higher gross base density thereafter.*”

The River Club development will be mixed use but will have a substantial residential component (approximately 600 dwelling units), with an estimated density of approximately 40 dwelling units/ha (du/ha). The development will therefore enhance the density in this part of Cape Town and will contribute towards the City achieving its base density target of 25 du/ha.

DP2: *“...Higher levels of densification will be encouraged at specific spatial locations, particularly in areas with good public transport accessibility, at concentrations of employment, commercial development and/or social amenities, and in areas of high amenity...”*

It is believed the River Club represents an ideal spatial location for densification to occur. The following factors are pertinent to this argument:

- The site is easily accessible by public transport, with Observatory and Koeberg train stations, in particular, being easily accessible to the River Club (these stations are located within 500m of the site). In addition, the nearby corridors of Main Road and Voortrekker Road carry numerous bus and mini bus taxi services.
- A range of employment opportunities exist within the local area, whether it be industrial (Ndabeni, Maitland, Salt River, Culemberog), commercial (Black River Parkway), retail (Main Road, Voortrekker Road) or institutional (Valkenburg, SAAO, Alexandra Hospital). This excludes the additional employment opportunities that will be provide within the River Club development, as well as the other ongoing projects within TRUP.
- There are various amenities in the local area, including numerous education, health and recreational facilities.

DP3: *“The intensification of all types of land uses, not just residential land uses, should be encouraged, and a better mix of land uses should be supported.”*

The River Club will be a mixed-use precinct within TRUP and will include *inter alia* residential, commercial and retail uses, as well as an abundance of open space. The precinct will therefore promote a ‘live, work, play’ lifestyle.

DP4: *“Cape Town as a city is not defined by its urban or built skyline and it is not intended for this to be the case in future. The mountain skylines and views of the sea are the defining elements that make Cape Town unique and views of them must continue to be protected from inappropriate built form through, for instance the application of the Tall Buildings Policy...”*

Many of the buildings proposed at the River Club will be higher than adjacent development. The height, combined with the total bulk to be developed, means that a visual impact is unavoidable. However, the low sensitivity of visual receptors south and east of the site, vast spaces around the site, combined with the sites position in relation to the mountain and the sea, mean that the development will not be out of place in the surrounding urban fabric.

DP6: *“The determination of the appropriate location, height, scale, form and orientation of a higher-density development in a particular location should be guided by the Density Decision Making Framework. The following factors must be taken into consideration:*

- *Generic considerations for densification related to the suitability of the area for land use intensification, such as surrounding land use character, access to public transport,*

proximity to places of employment, services and social facilities, proximity to public open space and infrastructure availability (existing and planned);

- *The spatial locations targeted for different types of densification as per this policy;*
- *The applicable policy frameworks namely, the CoCT SDF, District Spatial Development Plans and Local spatial plans, density plans and urban design policy; and*
- *Contextual informants related to the development application and its immediate surroundings such as the natural environment, land use, built and heritage character, infrastructure availability and capacity and socio-economic considerations should determine the densities appropriate in a specific location.”*

The location, height, scale, form and orientation of the proposed building are all considered appropriate in this case due to the following pertinent reasons:

- The land falls within the “urban inner core” identified in the MSDF, where private sector development is incentivized.
- The land is a greenfield and infill site that is well located within the urban fabric of the city: it falls at the ‘knuckle’ of the Main Road and Voortrekker Road corridors; it is within easy walking distance of public transport, particularly the rail network (i.e. Observatory and Koeberg train stations); there are a range of employment opportunities (existing and proposed) within the local area; it is easily accessible to various social facilities, including numerous education, health and recreational facilities; and there is an abundance of public open space surrounding the site (much of which will be improved and become more usable as the image of TRUP improves).
- The existing character of the site and the surrounding area has been considered and has been factored into the design in the following ways:
 - Open spaces will be retained for landscaping and informal recreational purposes;
 - Buffer areas will be implemented adjacent to the riverine corridor and vegetated stormwater swale, as per specialist recommendation; and
 - Key axis and gateways will be retained so as to ensure that a visual connection with surrounding amenity values (such as the SAAO and the Raapenberg Wetland & Bird Sanctuary) are maintained and celebrated.

DP7: *“The City will proactively encourage densification in density priority zones (DPZs) and urban civic upgrade areas...”*

The Densification Policy includes various DPZs, including “infill sites” and “greenfield developments within the urban edge, and more specifically adjacent to existing urban development”. The River Club falls into both of these categories and should therefore be considered for densification.

DP8: *“The densities proposed on greenfield sites within and outside the existing built fabric should, as far as is appropriate, align with the densification spatial location criteria and density guidelines described in the Densification Policy.”*

The Densification Policy lists various spatial structuring elements around which densification should be targeted. Two such structuring elements are ‘activity routes’ (e.g. Main Road,

Voortrekker Road) and 'metropolitan, district and local parks' (e.g. TRUP). Although the site does not abut either Main Road or Voortrekker Road, it is close enough to these routes (as well as their associated train stations) to influence them. The Densification Policy suggests that densities surrounding activity routes should be in the range of 100-375 du/ha in buildings anywhere between 4 and 15 storeys. The River Club development can help to contribute to the density thresholds required in order to make the activity routes function optimally.

With regards to densities surrounding metropolitan parks, the Densification Policy suggests that densities should be higher than those in surrounding areas. Pertinently, the density should be such that it "*improves surveillance and security*", something which the River Club can undoubtedly assist with within TRUP.

It is acknowledged that densification is not a "one size fits all" solution and must be considered in relation to context. However, it is believed that the proposed development at the River Club is compliant with the policies and objectives of the Densification Policy because:

- It is believed that the River Club represents an ideal spatial location for densification to occur due to its close proximity to existing development corridors and the public transport network;
- The development can help to contribute to the density thresholds required in order to make activity routes function optimally;
- The development can help to contribute to the density thresholds required in order to make public transport function optimally;
- The development will contribute towards the CoCT achieving its base density target;
- The precinct will promote a 'live, work, play' lifestyle; and
- The development will improve surveillance and security along the eastern boundary of TRUP.

5.12 City of Cape Town Urban Design Policy (2013)

In recognition that development has the potential to change the way the city is structured and can have an impact (positive or negative) on the collective, or public, environment, the City of Cape Town introduced the Urban Design Policy to guide and regulate development, and then assess development applications against these policies through the land use planning and building plan approvals process. The MSDF and Table Bay District Plan already include many sound urban design principles at the city scale which can be used to guide projects. The intention of the Urban Design Policy is to focus on the local level (i.e. the scale of the site, precinct or neighbourhood).

The Urban Design Policy contains a variety of strategic objectives, with specific policies falling under the umbrella of each respective objective. While at this stage of project it is not regarded as necessary to reflect compliance with each specific policy objective contained in the Urban Design Policy, the list below provides an overview of positive urban design aspects of the development:

- The Berkley Road extension will enable intensive mixed-use development to occur at the River Club. Moreover, this new road will provide a much needed movement link (vehicular and NMT) between west TRUP (i.e. land to the west of the Black River, including the River Club) and east TRUP (i.e. Maitland, Ndabeni and beyond). The Black River and M5 freeways are currently space barriers and this new road link will become a space integrator.
- By filling the old Liesbeek River channel and reconfiguring it as a vegetated stormwater channel, the site no longer appears as an island in the landscape, but rather becomes integrated with urban development to the west of the site. This intervention will place more emphasis of the rehabilitated riverine corridor to the east of the site as being part of a visually and ecologically congruent / continuous Liesbeek River corridor, which will consequently read as the Liesbeek River in the landscape.
- The site will accommodate intensive, mixed use development with appropriate densities in order to support nearby development corridors and public transport networks.
- The open spaces proposed at the River Club, including the 'eco-corridor' / parkland space, the riverine corridor and the vegetated stormwater swale, will remain connected to the wider open space system at the local scale. The buildings adjacent to the open spaces will be orientated towards the spaces and will be appropriately scaled to allow people using the spaces to feel comfortable.
- Building heights are distributed across the site in sympathy with surrounding form and function. In addition, indicative heights take cognizance of view lines on the site.
- Buildings will act as a device to define public space, and shield against elements on the very exposed site (e.g. prevailing wind; noise from the M5 freeway and Liesbeek Parkway)
- By raising the level of the ground above the 1:100 year floodline, users of the development will not be susceptible to future flood events, nor will there be any negative impact on surrounding properties.
- Minimal on-street parking is provided, with the majority of parking being provided in "basement" structures. In addition, space allocated for parking will be capable of being retrofitted in the future in order to accommodate alternative uses (e.g. storage etc.).
- A network of pedestrian and other NMT routes will be designed to traverse the site, thus integrating the site with the surrounding precincts. Attention will be given to the interface between buildings and the public / pedestrian realm.

5.13 City of Cape Town Tall Building Policy (2013)

The City of Cape Town Tall Building Policy was adopted with the aim of controlling and guiding the development of tall buildings in the city. It is essentially a guide for the location and design of tall buildings that require height related departures, as well as an assessment

tool that allows the City to ensure responsible growth that makes a positive contribution to placemaking and the public realm.

The main principles of the Tall Building Policy are to:

- *Promote and encourage sustainable growth in the city by permitting greater building height in appropriate locations;*
- *Ensure that taller buildings fit into the context of the surrounding cityscape, without negative impacts;*
- *Encourage design excellence. Tall buildings should form part of high quality urban environments in specific locations;*
- *Recognise that growth is dynamic and that the approach to tall buildings should therefore be flexible, provided that the proposal meets the strictly applied criteria for quality, design, character, context and protection of the urban environment.*

Some of the buildings proposed at the River Club (i.e. those buildings located in the northern portion of the site abutting Berkley Road extension) amount to a “Level 3” application (i.e. “application for significant tall buildings”) due to the fact these buildings will be over 35m in height. The Tall Building Policy requires the proponent to adhere to all of the policy statements contained within the policy document. Compliance with these policies is provided below. The urban design indicators and recommendations document prepared by Urban Concepts can be referred to for further information and analysis.

P1: *“The location of tall buildings must protect the key views to Table Mountain, other mountain ranges such as Kogelberg / Helderberg and the sea from public spaces and key public places”*

The site features prominent views towards Table Mountain, in particularly Devil’s Peak. Given these prominent views, as well as the sense of openness the site currently provides, Urban Concepts has recommended that “future development should maintain a sense of visual permeability through the site from either side”. To this end, an open space corridor has been incorporated into the layout of the development proposal which extends across the site in an east-west direction between the development parcels of Precinct 1 and Precinct 2 (this corridor has multiple roles, including ecological, visual and recreational). This open space will allow for views across the site towards Devil’s Peak to be retained, as illustrated in **Figure 10a** overleaf.

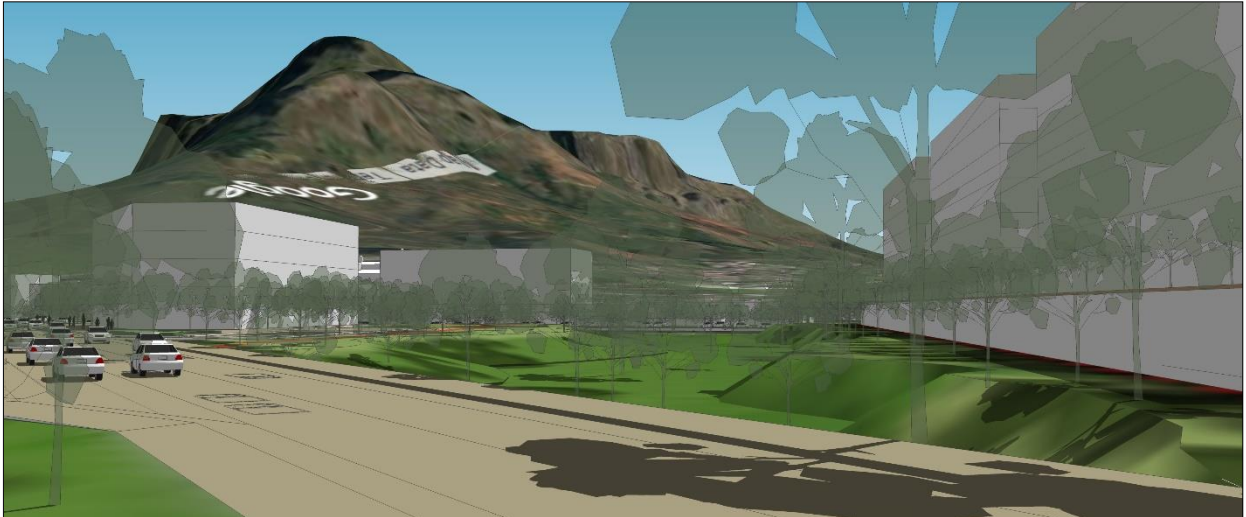


Figure 10a: Perspective looking through the open space corridor towards Devil's Peak (Source: Vivid Architects)

Another common view towards Devil's Peak is that experienced by motorists travelling along the M5. **Figure 10b** provides a perspective from the M5. While the proposed tall buildings along Berkley Road will have some impact on the views towards the mountain, the elevation of the M5 means that views towards Devil's Peak are still experienced from this point.

A Visual Impact Assessment (VIA) has been conducted in relation to the proposal.

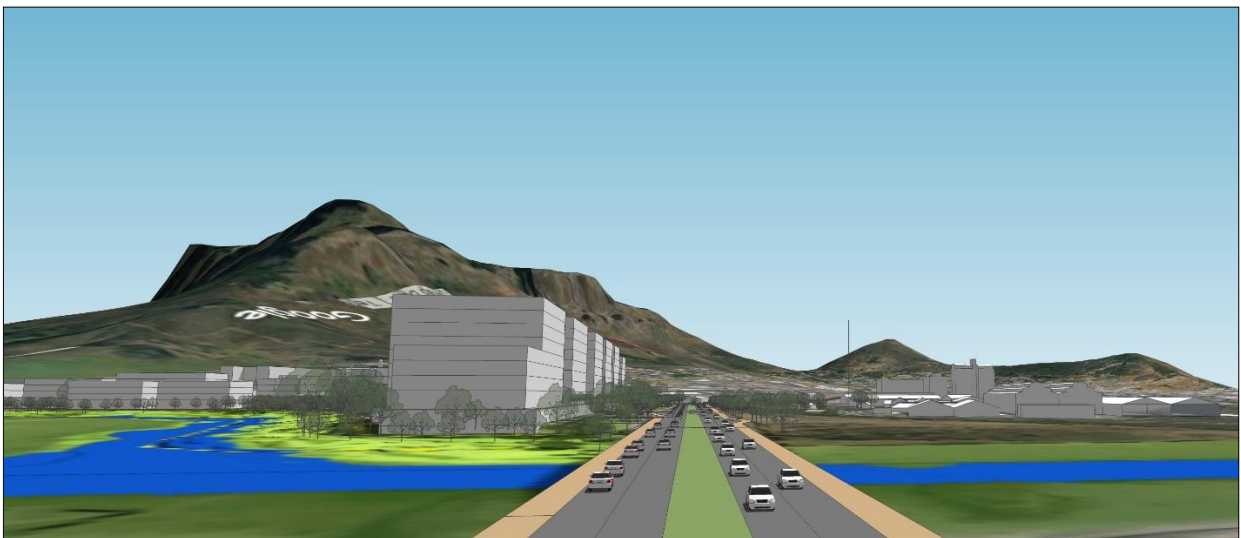


Figure 10b: Perspective looking from the M5 towards Devil's Peak (Source: Vivid Architects)

P2: *“Tall buildings should only be located in appropriate locations”*

The River Club site falls within the sphere of influence of the Metro South-East Integration Zone (refer to **Figure 6**), as well as within the broader Voortekker Road Corridor Integration Zone (refer to **Figure 7**), as identified in the MSDF (refer to sub-section 3.5). Specific strategic intentions listed in the MSDF in relation to the aforementioned Integration Zones is the opportunity to *“diversify and intensify land uses”* and *“intensify development”*.

According to the MSDF, “*land use intensification implies a greater mix of residential and non-residential land use (diversification) through the increased use of space, both horizontally and vertically (densification)*” (emphasis added). This implies that taller buildings are appropriate in areas that are identified in the MSDF for intensification, including Integration Zones.

P3: “*Applications must meet assessment criteria as set out in the Policy*”

While approximate height of the buildings at the River Club has been determined, the design of these buildings is still to be finalized. It is suggested that design related aspects of the various tall buildings should be assessed in future land use applications to be submitted. However, it is hoped that the principle of tall buildings can be agreed upon through this application.

P4: “*All tall buildings must contribute to a quality, active public realm at street and first floor level*”

The design of the various tall buildings is still to be finalized. However, it is proposed that some retail / commercial use will occur at first floor level to ensure the activation of the public realm surrounding the buildings.

P5: “*Possible additional review for significantly tall buildings*”

The design team, as well as other relevant members of the project team, are available to meet with the review committee to discuss the proposal for tall buildings on this site.

P6: “*Assessment on merit within the building’s unique context*”

TRUP is specifically identified as a “strategic project” in terms of the MSEIZ. Specific objectives of the MSEIZ, as outlined in *Technical Supplement I: Integration Zone Overview* contained in the MSDF, include *inter alia*:

- *Contribute to a more compact and integrated city, with associated efficiency, productive, and resource sustainability gains.*
- *Use TOD as a lever to unlock growth and development through the enhancement of public transport infrastructure (including its institutional arrangements and processes) and the support of appropriate development at appropriate locations.*
- *Improve housing opportunities to enable productive livelihoods and communities.*
- *Maximise the investment by various spheres of government and related agencies in the provision and maintenance of infrastructure and public facilities; and encourage private sector and individual entrepreneurship and investment through appropriate infrastructure and facility provision, regulations, and urban management instruments.*
- *Enhance infrastructure provision in the MSEIZ.*

(emphasis added)

It is contended that the location of the site, combined with the scale of development proposed, means that the development can be a catalytic project, not only for TRUP and the MSEIZ, but for the whole of Cape Town.

P7: “Area character analysis will inform the design of tall buildings”

Urban Concepts undertook a contextual analysis in the urban design indicators and recommendations report. The analysis includes an assessment of surrounding building height and form. **Figure 11** overleaf provides an illustrative analysis of the surrounding buildings. The following has been deduced by Urban Concepts:

- Heights of the buildings at the Black River Park development to the west of the site vary between 4 – 9 storeys (i.e. 15m – 32m).
- The PRASA buildings to the north are relatively low at approx. 20m – 25m in height. However, these appear monolithic on the landscape, particularly when experienced from the site.
- The premier foods buildings and silos, located to the north-west of the site, range between (approximately) 20m – 50m in height. The silos, in particular, dominate the skyline in this part of the city.
- The M5 office park (located adjacent to the M5 to the east of the site) are 3 – 4 storeys in height (i.e. approximately 15m).
- Buildings on Observatory hill are relatively low (i.e. approximately 10m).

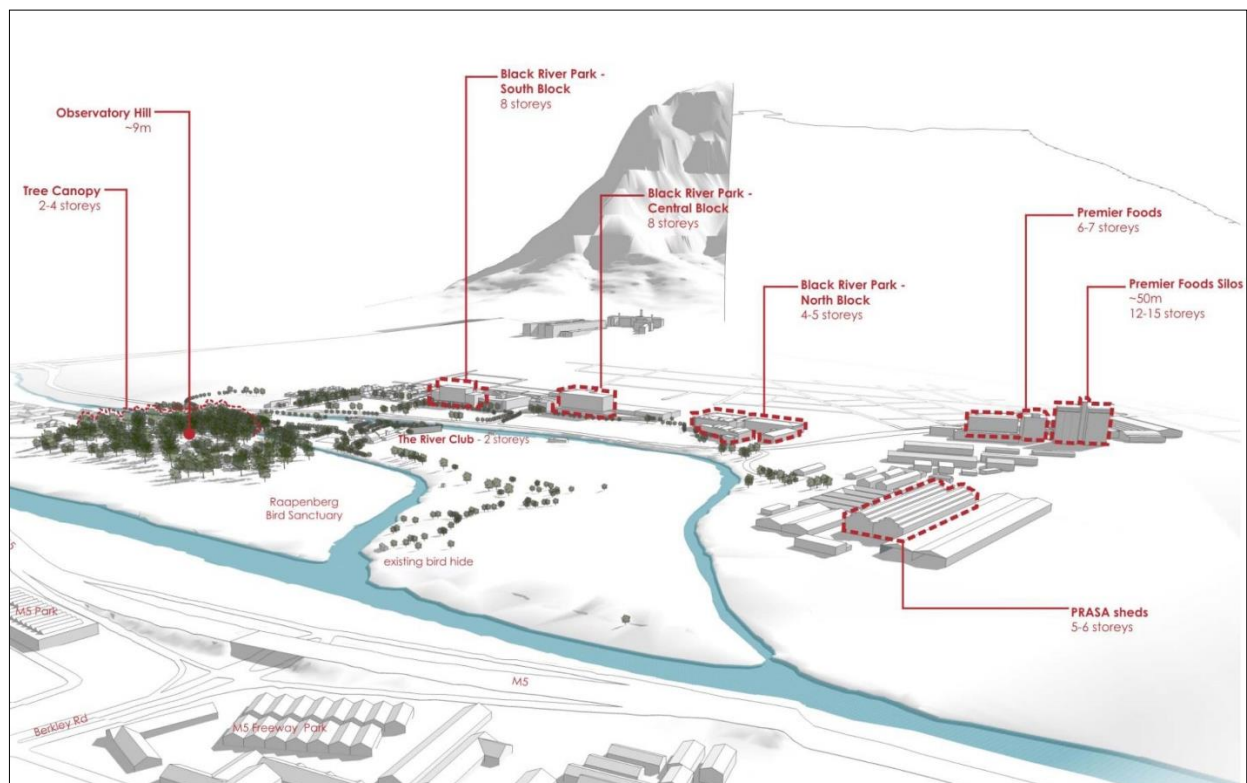


Figure 11: Analysis of surrounding building height and form (Source: Urban Concepts)

In addition to surrounding building height and form, other aspects that need to be assessed in relation to the tall buildings proposed are:

- Climatic conditions. Taller buildings in the northern portion of the site will assist to shield the remaining buildings in the southern portion from the prevailing northerly winds.
- Berkley Road extension. Taller buildings along the northern edge of the site will assist to define this road in the hierarchy (it will become an important link road between Salt River and Maitland).
- Gateways. Tall buildings at the main entrance to the site will act as a gateway element. Further, these buildings can form a gateway between Maitland (to the east) and Salt River (to the west).

P8: *“A tall building design should consider the three parts of a tall building within its context”*

While approximate height of the buildings at the River Club has been determined, the design of these buildings is still to be finalized. It is suggested that design related aspects of the various tall buildings should be assessed in future land use applications to be submitted.

P9: *“A tall building’s design should include a mix of uses and promote the City’s Densification Strategy”*

The design of the various tall buildings is still to be finalized. However, all tall buildings will contain a mix of uses (e.g. office / residential or office / retail or office / residential / retail). An average density of 40 du/ha is proposed across the site, which meets the City’s base density target of 25 du/ha as contained in the Densification Policy.

P10: *“Criteria for renewable energy and/or efficiency in tall buildings must be considered to support limited infrastructure resources”*

Although the sustainable design elements of the building have not yet been finalized, the design team will aim to achieve green building certification for all buildings at the River Club. Some of the green building measures earmarked for inclusion / implementation include *inter alia* the following:

- reduction of heat loads, maximising natural light and promoting the circulation of fresh air;
- use of energy-efficient air conditioning and lighting;
- use of environmentally friendly, non-toxic materials;
- reduction of waste and using recycled materials;
- use of water-efficient plumbing fittings and water harvesting;
- planting of the balcony areas to mimic green roof technology; and
- reduction of car use by providing an exclusive driver service to residents.

5.14 City of Cape Town Transit Oriented Development Strategic Framework (2016)

According to the Transit Oriented Development Strategic Framework, the vision for Transit Oriented Development (TOD) in Cape Town is:

“To progressively move toward a compact, well connected, efficient, resilient urban form and movement system that is conducive to economic and social efficiency and equality whilst providing cost effective access and mobility, with the least possible negative impact on the environment.”

The TOD Strategic Framework is seen as a tool to implement TOD in Cape Town. It identifies the tools and mechanisms to be employed by various role players who have a collective impact on development to ensure that they move progressively toward the new TOD vision for the City. Ultimately, the TOD Strategy aims to trigger a paradigm shift through direct public and private sustainable investment into the built form.

The objectives of TOD in Cape Town are defined in the framework as follows:

- Maximise “location efficiency” so that people can walk, cycle and use public transport. This can be achieved through a comprehensive approach to land use density, mix and intensity, as well as a focus on prioritised public transport at a metro, corridor, nodal and precinct scale.
- Boost ridership and minimize congestion thereby ensuring that the public transport system becomes more viable.
- Provide a rich mix of housing, shopping, recreational and transportation choices.
- Enable cost and operational efficiencies in the provision and design of urban infrastructure.
- Create a sense of place.

In terms of the TOD Strategy, high intensity development should occur in Transit Accessible Precincts (TAPs), which are precincts located within a 500m radius from a higher order public transport station. Essentially, TAPS are determined based on their level of access to the transit network. In the context of the River Club, both Observatory rail station (to the south-west) and Koeberg rail station (to the north-east) fall within a 500m radius of the site³. Therefore the River Club should be considered as falling within a TAP, and consequently the intensive, mixed-use nature of the proposed development should be considered compliant with the TOD Strategy.

3.15 Parking Policy for the City of Cape Town (2014)

The Parking Policy is a comprehensive approach to the provision, management, regulation and enforcement of parking in the City of Cape Town. The stated strategic intent of the Parking Policy is to *“manage parking supply and demand in high parking demand areas efficiently (including availability of loading bays, bus bays and reserved parking) and to reduce private car dependency”*.

The City’s strategic intent to reduce private car dependency is pertinent to this application, particularly considering the number of parking bays envisaged for the site. Policy 7 of the Parking Policy – *“Implement reduced parking requirements to facilitate new development and address private car dependency proactively”* – deals with the need to address private

³ Notwithstanding the development being within a 500 m radius of these train stations, the actual walking distance from Observatory Station (to the Liesbeek Road entrance) is approximately 820 m, while the actual walking distance from Koeberg Station (to the Berkely Road extension entrance) is approximately 850 m.

car dependency. The only sub-policy that specifically addresses private car dependency in the context of this application is sub-policy 7.7, which states “*Investigate the implementation of maximum parking standards in addition to the existing minimum parking requirements*”. Since no maximum parking standards are contained in the DMS, the proposed development only needs to provide for the minimum number of bays required.

Notwithstanding the above, it is acknowledged that the envisaged number of parking bays currently provided means that the development is not entirely consistent with the strategic intent to “reduce private car dependency”. However, as was argued in relation to the TOD Strategic Framework, the prevailing property market means that the provision of parking for commercially driven mixed-use developments at this point in time is a necessity and a development will simply not succeed if adequate parking is not provided. At this stage, the preliminary number of bays to be provided is not excessive and in some cases is less than current market norms.

It should be emphasized that the exact number of parking bays to be provided has yet to be determined and any parking related departures will be applied for in subsequent land use planning applications.

3.16 City of Cape Town Integrated Human Settlements Five Year Plan (2012-2017)

The aim of the Integrated Human Settlements Five-Year Plan is to provide a clear view of the challenges and opportunities facing the City of Cape Town in terms of providing for the housing needs of Cape Town’s steadily growing and increasingly urbanised population.

The document largely focuses on strategies to improve the provision of public housing to the marginalised residents of Cape Town. Since the River Club is a private development initiative on privately owned land, the policy is not applicable to this application.

3.17 City of Cape Town Social Development Strategy

The Social Development Strategy (SDS) articulates the role of the City of Cape Town in promoting and maximising social development. Social development is understood broadly as the overall improvement and enhancement in the quality of life of all people, especially people who are poor or marginalised. At its core is a focus on addressing poverty, inequality and social ills while providing for the participation of people in their own development.

The SDS is structured around five high-level objectives. These objectives are listed below and in each instance it is demonstrated how the River Club development may assist to meet these objectives:

1. *Maximise income generating opportunities for people who are excluded or at risk of exclusion*

The River Club is a private sector development on privately owned land. Therefore the future commercial tenants will primarily be those able to afford the market related rentals. Notwithstanding, it is anticipated that all future tenants will have employment opportunities people who are excluded or at risk of exclusion.

Further, 20% of all redineital space will be allocated to inclusionary housing, which will be offered at below market value rentals. These residents, who may or may not currently be excluded, will therefore have enhanced access to economic opportunities in economically active parts of the city (e.g. Salt River, Woodstock, Maitland and Cape Town CBD).

2. Build and promote safe households and communities

The River Club will be a safe environment for all.

3. Support the most vulnerable through enhancing access to infrastructure and services

The River Club development will be fully serviced. It is again emphasised that the River Club is a private sector development on privately owned land and will therefore not necessarily include public facilities (e.g. clinics etc.).

4. Promote and foster social integration

The River Club will offer inclusionary housing opportunities at below market value rentals. These units will be integrated, as far as possible, into the same blocks of apartments as the other residential units.

5. Mobilise resources for social development

The River Club development has potential to be a catalytic project for the entire TRUP initiative and may generate resources for the further implementation of TRUP, which in turn could lead to social development in this part of the city.

6. CONCLUSION

From this overview it is evident that the proposed development of The River Club, although consistent with certain planning policy such as the City of Cape Town MSDF, is inconsistent with other pertinent policies such as the Table Bay District Plan, the City of Cape Town Floodplain and River Corridor Management Policy (2009) and the City of Cape Town Management of Urban Stormwater Impacts Policy (2009). As such it is necessary to deviate from certain policies. Motivation for these deviations has been provided to the authorities in the composite land use application to be submitted.