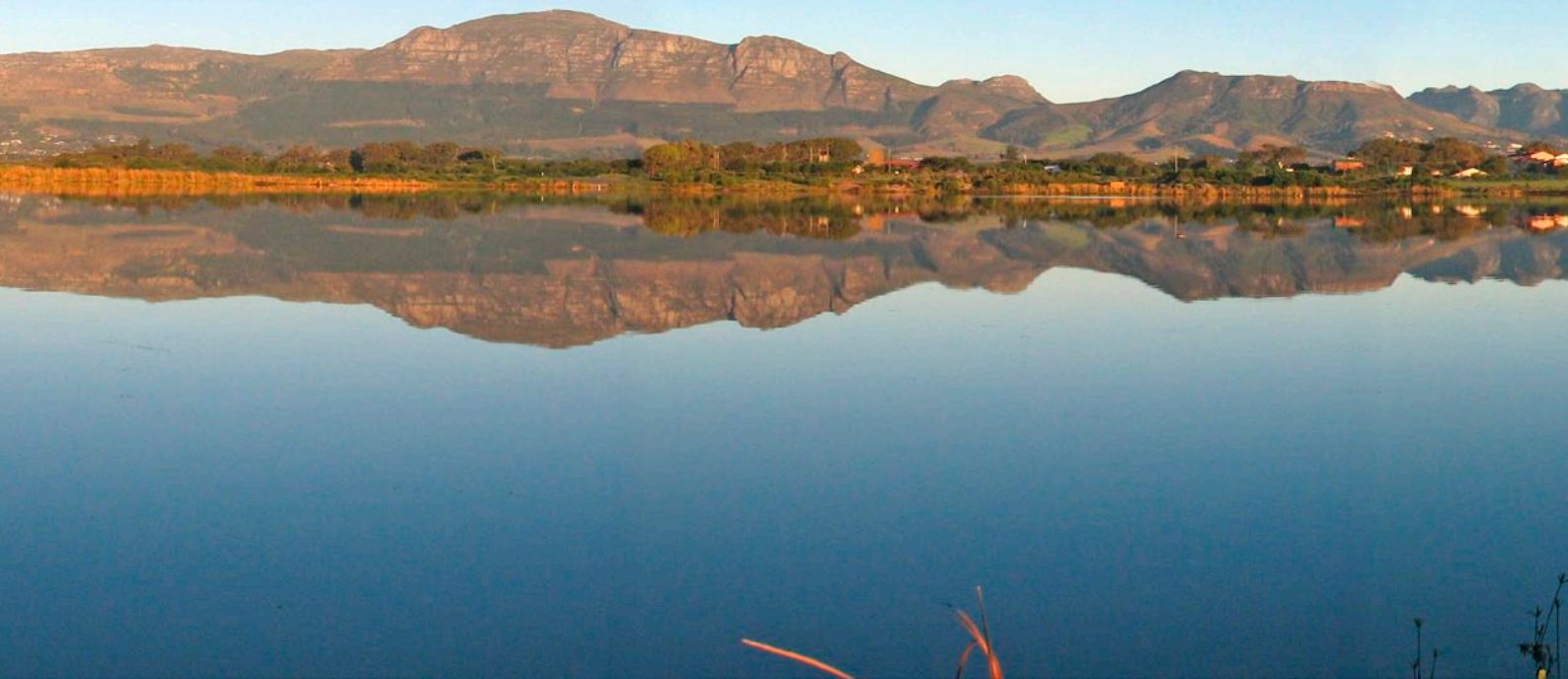


# PRINCESSVLEI – Tug of war



## *It is Development versus Conservation as the sides square up to decide the fate of Princessvlei in the Western Cape.*

*Petro Kotzé investigates.*

Once, around 1510, a Khoisan princess of the Gorachouqua people lived in Elephant Eye cave on Constantiaberg, Cape Town. While swimming in a nearby vlei, she was abducted, some say murdered, by Portuguese sailors from the ship of Francesco d'Almeida. Folklore has it that her tears formed Princessvlei, and in retribution, it is said that one person drowns here each year. Centuries later, the controversy around this wetland has not abated.

Princessvlei is situated in the Retreat area in the Cape Flats, and is classified as a Sand Fynbos depression linked to a channel (the Diep/Sand river system), surrounded by floodplain flats (the vegetated areas around the margins). This small, shallow wetland (29 ha) was once linked to Little Princessvlei and the Diep River, but the Little Princessvlei is no longer in the same catchment.

For decades, Princessvlei has served as a recreational area and baptism site for the local community.

During apartheid, the northern shore was nicknamed Claremont beach, as many of the City's recreational areas were declared off-limits to displaced communities. Today, the wetland is severely degraded, mostly due to intensive urban development in the surrounding area. Consequently, it has been considered of low conservation value.

In 1998, Insight Property Developers set their sights on the property and approached the City of Cape Town with an unsolicited proposal to purchase the land. The plan was to build a regional shopping centre on a portion of the wetland and, 13 years later, the process simmers on. The proposed complex, earmarked for the eastern side of the wetland, entails a single-storey building with a footprint of about 9 080 m<sup>2</sup>, including 520 parking bays. Perks include a restaurant, coffee shops, retail outlets and a 30 m-wide open-space (the buffer area) measured from the edge of the water, serving as a secure and maintained public open space.

The property in question, a portion of Erf 82176 (which is currently valued at R4-million) is zoned as Public Open Space, and is owned by City Parks. The direct sale to the

developer was approved subject to the outcome of a Public Participation Process, Environmental Impact Assessment (EIA), the rezoning of the property and agreement to certain conditions of sale as well as a purchase price.

The property thus had to firstly be subdivided to separate the shopping centre portion from the rest of the property, and secondly, rezoned from Public Open Space to a business zone to allow for the shopping centre to be built. In 2002, Insight submitted and advertised the rezoning application.

In 2005, the Provincial Department of Environmental Affairs and Development Planning (DEA&DP) issued a Record of Decision (RoD) in terms of the Environmental Conservation Act of 1989. Valid for four years, this RoD is considered an Environmental Authorisation in terms of EIA Regulations promulgated under the South African National Environmental Management Act (NEMA).

The many conditions of this authorisation included that all alien vegetation (including aquatic) in and around the whole vlei must be systematically removed. The applicant must also establish an active

# over Cape Flats wetland continues



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environmental management committee to monitor and give input on all environmental decisions. Furthermore, all indigenous vegetation and topsoil must be removed from the areas proposed for the activity, stockpiled and used for the re-vegetation of disturbed areas.

The RoD was largely motivated by the Princessvlei and Little Princessvlei Restoration and Conservation study, concluded in 2002. The study aimed to assess the biophysical issues in the area and included floral, faunal, geohydrological, aquatic-ecosystem and land-use assessments. Among others, the faunal diversity was found to have deteriorated, and the vleis found to be affected by eutrophication, sediment accumulation and reduced biodiversity. The study found that the area in question was indeed degraded, not environmentally sensitive and considered of low conservation worthiness.

Hence, it was concluded that the proposed development would result in a socio-economic boost for the region, providing opportunities to, among others, improve the usage of the park and promote environmental education. In a nutshell, the development was seen as a good way to achieve a balance between

social-economic, environmental and cultural heritage sustainable practices.

## A TWIST IN THE TALE

In the meantime, parallel to this process, the Biodiversity Network Study was taking place. Covering the entire Cape Metropolitan area, the network aims to evaluate all remaining natural vegetation fragments and establish the minimum viable set needed to secure Cape

Town's biodiversity. The latest 2008 version is Cape Town's fine-scale conservation plan that represents the minimum set of remnants required to meet national and local terrestrial conservation targets. In addition, it includes all the natural wetlands, rivers and coastal ecosystems. Notably, it is a major informant in the City's Environmental Frameworks and Spatial Development plans.

During the time that the Princessvlei development has been under

*Armed with pitch forks, gloves and spades an enthusiastic 'Do it Day' group last year tackled alien vegetation along Princessvlei (including Port Jackson and Patterson's Curse), picked up litter and planted Suurvye. These activities contribute towards the Dressing of the Princess initiative, an effort to restore Princessvlei to its original beauty.*



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*The Princessvlei wetland in Cape Town is the current subject of a tug of war between developers and conservationists.*



consideration, this study was not available to influence the proposal, but this changed drastically after 2008. Princessvlei was shown to be anything but an erf with low conservation value. It is, in fact, quite critical.

The study showed that two vegetation types are present at the vlei, Cape Flats Dune Strandveld along the western and northern shores and Cape Flats Sand Fynbos on the eastern shore are respectively listed nationally as Endangered and Critically Endangered. The 2002 study did not select the eastern shore of Princessvlei as a viable site due to the poor condition of the vegetation and the historical disturbance that the site has been subjected to. The

2008 study maintains that, where Critically Endangered vegetation types are concerned, all sites must be conserved, as insufficient remnant area remains to meet national conservation targets. This includes even degraded sites where restoration potential exists.

Secondly, it was now established that the eastern shore of Princessvlei forms an important linkage for ecological processes that support the larger natural open space area. Although the vegetation is in poor condition, it forms an 'irreplaceable consolidation' area in support of the adjacent wetland and strandveld vegetation. The western and southern sections of Princessvlei are

also represented on the Biodiversity Network, as their ecological integrity is tied into the continuance of Erf 82176 as part of the Network.

According to Kate Snaddon of the Freshwater Consulting Group, the wetland was also given a CBA2 (Critical Biodiversity Area) rating after expert review due to, among others, the presence of the endangered Western Leopard Toad.

## PLANS FORGE AHEAD

With the rezoning approved in 2008, and the RoD in hand, the remaining hurdle was the subdivision of the property, said at the time to be merely "procedural". The City

of Cape Town was tasked with taking the decision on the sub-division. In spite of the inclusion of the site in the Biodiversity Network, in 2009, the City's Environmental Management Services recommended that the subdivision proceed, provided that the RoD be fully implemented and the developer initially pay R150 000, and then R80 000 per month into the Princessvlei Environmental Fund.

According to Cheryl Walters, the City's Director for Planning and Building Development Management, the sub-division was approved in 2009, on recommendation from the City's Spatial Planning, Environment and Land Use Management Committee (SPELUM). The conditions, though, were less stringent than the Environmental Management Services' recommendation. In the meantime, the RoD (valid for four years) and the rezoning approval (valid for two years) both lapsed in 2009, as no approved activities have commenced. Consequently, the city applied for an extension to both. This time, Walters says, when the extension to the rezoning application was advertised (simultaneously with the EIA extension of validity) the City received 241 objections and two petitions.

Graham Noble, of the Greater Cape Town Civic Alliance, one of the objectors, says that when the proposal was first advertised, residents surrounding Princessvlei were not aware of the wetland's significance. Furthermore, in their opinion, the RoD cannot be extended because the situation has changed. He is adamant that not only were the wetland's cultural significance not taken into consideration, but there are perfectly manageable rehabilitation options available.

This opinion is echoed by the Wildlife and Environment Society of South Africa (WESSA). Philippa Huntly, WESSA Senior Environmentalist (Western Cape Region) says that they object to the proposed development. They hold that the zoning of the land should revert to public open space, and that the concurrent application for the extension

period for the zoning should not be granted. "The area in question is one of the few areas of public open space for the adjacent community and is currently used as such. In addition it is a site of historical and cultural significance, and thus not a suitable site for a shopping centre." Furthermore, "the presence of a wetland is of concern environmentally as these threatened ecosystems provide crucial ecosystem services and biodiversity habitat."

## WHAT THE FUTURE HOLDS

Heidi Nieuwoudt, the Working for Wetlands Programme's Provincial Coordinator for the Western and Northern Cape explains that an ideal outcome for Princessvlei would entail minimal to no development close to the wetland. She adds that the wetland needs good, able, well-equipped management, which should include a manager and the development of a management plan. This plan should be the result of community input and should include the community's needs. Further positive outcomes would then be the rehabilitation and conservation of the Cape Flats Sand Fynbos.

However, according to Mandy Noffke, WESSA Conservation Projects Manager, complete restoration of the area will not be possible as the system is highly impacted and degraded by years of neglect and urban pressure. "However restoration of the endangered Cape Flats Sand Fynbos vegetation is certainly possible in parts of the Princessvlei area."

At the moment, affected parties will have to wait their turn to comment on the future of Princessvlei. Currently, explains Walters, the applicant has commented on the objections and petitions, but the Council's decision to extend the validity of the rezoning will only be taken once the RoD has been resolved. In the meantime, the City is finalising its comment on the extension to the RoD request. □

## PROTECTING SOUTH AFRICA'S WETLANDS

According to the International Association for Impact Assessment, EIA can be defined as "the process of identifying, predicting, evaluating and mitigating the biophysical, social and other relevant effects of development proposals prior to major decisions being taken and commitments made."

In South Africa, the legislative framework for environmental governance is provided by NEMA. However, EIAs are still governed by regulations promulgated in terms of the Environmental Conservation Act of 1989. The EIA regulations require specific procedures, like scoping and/or EIA reports to be prepared for activities listed due to their potential to have substantial detrimental effect on the environment. The provincial government is usually the relevant authority for managing the EIA process.

The objectives of an EIA are:

- To ensure that environmental considerations are explicitly addressed and incorporated into the decision-making processes;
- To anticipate and avoid, minimise or offset the significant adverse biophysical, social and other relevant effects of development proposals;
- To protect the productivity and capacity of natural systems and the ecological processes that maintain their functions; and
- To promote development that is sustainable and optimises resource use and management opportunities.

Nieuwoudt maintains that in South Africa, the legal process benefits the ecosystem as it forces the developer to take it into consideration during the planning and development process. She is of the opinion that current legislation does offer sufficient protection to wetlands, even though some adjustments could be made. These include the distance and size of the buffer area surrounding the wetland (usually used as a measure within which development should not take place) as well as the definition of set-back lines.

Alternatives could be to rather use altitude as the measurement to indicate from where development can take place, instead of distance. She points out that climate change predictions indicate an increase in extreme floods, and that wetlands act as important buffer zones.

*Source: The Enviropaedia, edited by David Parry-Davis*