



MEDIA RELEASE

24 February 2021

PROPERTY FORUM LAUNCHES HERITAGE ASSESSMENT SURVEY

Western Cape Property Development Forum seeks to gather evidence to tackle the challenges in heritage approval processes that are chasing away crucial investment.

Over the past few years, the Western Cape Property Development Forum (WCPDF) has been the sounding board for the property development and construction sector's ever-growing concerns around applications that require heritage approval, both at provincial level (via Heritage Western Cape) as well as at certain municipal levels, such as within the City of Cape Town.

A number of key issues have been raised, from time delays caused by drawn out appeal processes that have in themselves become increasingly vague and difficult to interpret, to allegations levelled at Heritage organisations and officials for abusing processes to prevent development from happening at all.

According to Deon van Zyl, chairperson of the WCPDF: "What we are increasingly hearing from developers is that they are choosing to walk away from projects rather than take on the inordinately lengthy, costly and frustrating delays in which heritage applications invariably result.

"Therefore, on the one hand, critical investment into the Western Cape and, even more importantly, job creation are both haemorrhaging at a time when the economy needs these most. On the other, important heritage assets are being left to decay because of the public sector's lack of either funds or the motivation to maintain them."

In order to formulate a strategy to deal with the crisis, the WCPDF has drawn together developers, environmental management and heritage consultants in a Heritage Workgroup, the first task of which has been to produce an inaugural survey entitled *The State of Western Cape Heritage Assessments*.

Van Zyl explains the rationale behind the survey: "Developers and other professionals in the field have been bringing their grievances in a piecemeal way to our attention for some time now.

"What we need to do is replace the emotion and hearsay with facts, figures and concrete evidence, and this is the aim of the survey. We want to produce a record of the projects that have been affected that we can place before local and regional authorities. We want to drive home the extent of the problems and hopefully catalyse the public and private sectors into working together to find solutions."

Most importantly, adds Van Zyl, is that the survey will collect data in terms of the financial value and numbers of jobs that have been lost due to heritage assessment processes scuppering developments, both in terms of developers walking away from projects as well as those that were objected to and eventually cancelled along the way.

While deeply concerned about the negative impact that heritage assessments are having on investment, Van Zyl says he is at least heartened by what he calls a "coming together" of

professionals that have traditionally sat on opposing sides of the heritage debate, and that are now liaising together as part of the WCPDF's new Heritage Workgroup.

"It has come to our attention that a number of private consultants involved in Heritage application assessments, and including those that sit on heritage councils, are concerned with the way in which applications are being dealt and believe, as we do, that decisions being made are chasing away crucial investment."

One such member of the workgroup is architectural historian, Kathy Dumbrell. Referring to the National Heritage Resources Act 25 of 1999 that governs the management of all heritage-related issues, she notes: "The spirit of the Act and how it was formulated was never intended to be obstructive. Back then, it reflected best practice of the time. But time has moved on and processes must now enable heritage assessments to be more scientific and less based on feelings and intangibles, or even on arbitrary objections which can be made at just about any stage of the development timeline."

A renowned heritage activist, Dumbrell has for many years sat on numerous heritage bodies and organisations. Having herself fought hard on the heritage front for many years, she agrees that the country's current economic needs should be a serious consideration in heritage debates around developments.

"The world has changed since 1999. We're in a different environment now, and it was never the intention of the Act to obfuscate, or obstruct both development and heritage conservation and management. But that's where we're at and unless processes adapt no one is going to be the winner in the end. Everybody's going to be the loser."

A key issue for her is to see processes streamlined in such a way that developers and heritage consultants liaise from the very start of a project: "The principle behind a Notice of Intent to Develop (NID) is the same for heritage as it is for an environmental process, with heritage professionals becoming involved at the earliest stages so that developers can build a level of certainty into the process sooner. Part of that certainty is to know what groups on the ground consider heritage, which is different for different sites. Thus, consultation and engagement is vital. Currently, the NID does not require this, and thus some heritage issues only raise their heads much further into the application – and often as objections to the development."

Adding to this, Quahnita Samie of Vidamemoria Heritage Consultants notes that problematic definitions in the legislation and implementation of the Act across the responsible heritage authorities has resulted in a lack of clarity and certainty regarding heritage application processes.

Says Samie: "There seems to be a lack of understanding and agreement regarding what constitutes a heritage resource. There is no clear vision of what heritage should be aiming to achieve within the context of seeking a balance between conservation of heritage resources and sensitive development.

"It's become difficult for those of us working in the field to not be able to tell our clients with any certainty what is going to happen in terms of their development applications. It's hard to work in an environment with such a lack of clarity. The case studies which the survey will reveal will hopefully be able to pin point areas that are the most challenging."

Developer Murray Campbell of Arun Holdings concurs: "What developers need most is certainty, and the problem with heritage assessments at the moment is that there appears to be no scientific process to follow. It's become a vague black box where everyone has an opinion, and is allowed to have these at any stage of the development, with decisions then being delayed with no end in sight."

Adds Daniel Barnard of property developers FWJK: "One of the primary things as a company we are trying to do right now is to keep the city going by creating employment and attempting to revive the economy. But as developers we can no longer afford these unknown factors with heritage being a massive stumbling block. It would be so much easier for all stakeholders concerned if there was just a legitimate procedure to follow.

As an example, Barnard notes that a simple heritage process with no on-site heritage assets that should have taken no more than a three-month NID process eventually took 23 months in order to get final approval from Heritage Western Cape: "This negatively impacted the project as the delay in approval took us from a prosperous economy to one now in deep recession before approval from Heritage Western Cape was finally obtained making it a lot tougher in getting projects like this across the line."

The initial survey, which was launched this week, is the first of two, explains Van Zyl: "The first survey deals with developers' perceptions around heritage applications, the specific challenges they face in application processes, the role interested and affected parties play, and to determine where and how the heritage process has become a "catch all" for stakeholders who have grievances that have nothing to do with heritage, but who use the heritage objections platform to air their views."

A second survey, to be undertaken in April, will be conducted through follow-up interviews with developers who have taken part in the inaugural survey and who are prepared to provide the WCPDF with more in-depth information.

"Heritage resources are finite and irreplaceable," notes Dumbrell. "But we also need to ensure that the heritage assets we choose to preserve are very much worth it. We live in an under-resourced, very poor society, and the bottom line is that we need the economic investment that comes with development to get everything going again. And we also need to get super creative and clever about how we can sustain that which is worth saving."

One of the ultimate outcomes the workgroup hopes for is a meta vision for heritage in the Western Cape, says Van Zyl: "Do we pay tribute to heritage just so that we can sing *Kumbaya*? Or is it to remind ourselves of the importance of where we have come from and to where we can go?"

"As an industry, we honestly believe that there is definitely a place for heritage. It is extremely important. But, likewise, there is no place for the abuse of heritage."

The inaugural *State of Western Cape Heritage Assessments Survey* is currently live and will remain open for all respondents active in the property development and construction sector in the Western Cape until midnight on Friday 5 March 2021. The survey can be accessed [here](#) or via <http://bit.ly/3aOuYXG>

To arrange an interview with Deon van Zyl of the Western Cape Property Development Forum, please contact:

*Carola Koblitz, Media & Communications for the WCPDF
Cell: +27 82 568 1621 or email media@wcpdf.org.za*

For more information on the WCPDF, please visit: www.wcpdf.org.za