



OMEVTA PERSPECTIVES ON THE OUDE MOLEN DRAFT HIA & RE- DEVELOPMENT

ADDRESSING HERITAGE AND DEVELOPMENT CONCERNS

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RIVER CLUB TODAY, OUDE MOLEN PRECINCT TOMORROW?

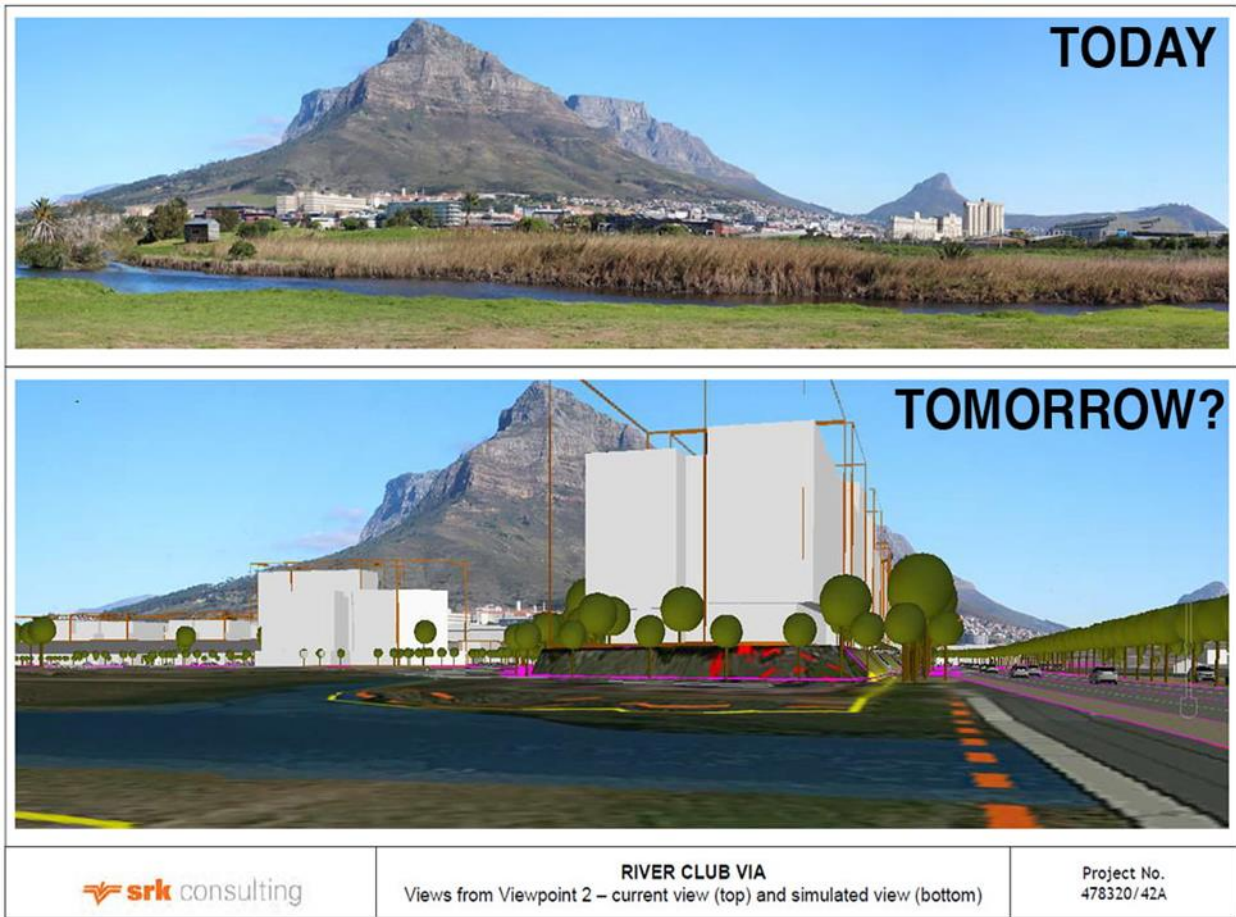


Figure 1: Before and after images extracted from the Visual Impact Assessment Document from the Bar Report (Online: Extracted from OCA Website: [https:// https://en.wikipedia.org/wiki/Western_leopard_toad](https://en.wikipedia.org/wiki/Western_leopard_toad))

FROM ECO VILLAGE TO CONCRETE DYSTOPIA: IMPLICATIONS OF THE RIVER CLUB BEFORE AND AFTER VISIONS FOR OUDE MOLEN

THE OUDE MOLEN ECO VILLAGE, LOCATED IN THE BLACK RIVER AREA OF CAPE TOWN, IS CURRENTLY STRUGGLING UNDER THE PRESSURES OF URBANISATION AND DEVELOPMENT. THIS HAS BEEN EXACERBATED NOW THAT THE RIVER-CLUB DEVELOPMENT ACROSS THE ROAD FROM IT IS ALMOST COMPLETE, AFTER THAT DEVELOPMENT INITIALLY FACED HUGE OPPOSITION. WHILE IT WAS ONCE ENVISIONED AS A SUSTAINABLE COMMUNITY, IT NOW FACES SIGNIFICANT CHALLENGES THAT THREATEN ITS ECOLOGICAL AND HISTORICAL INTEGRITY AND SOCIAL FABRIC. THE VILLAGE IS CHARACTERISED BY ITS LIMITED DEVELOPMENT FOOTPRINT, UNIQUE ARCHITECTURAL ELEMENTS WITH EXISTING ACTIVITIES PRIMARILY FOCUSED ON URBAN GARDENING, SUSTAINABLE LIVING; COMMUNITY AND ENTREPRENEURIAL ENTERPRISES; EDUCATIONAL/EMPOWERING ACTIVITIES HERITAGE CELEBRATIONS; AND SMALL BUSINESSES. RIVER CLUB BEFORE AND AFTER VIEWS REVEAL A LANDSCAPE THAT IS INCREASINGLY AT RISK, MARKED BY THE ENCROACHMENT OF COMMERCIAL INTERESTS AND A LOSS OF THE NATURAL ENVIRONMENT THAT ONCE DEFINED IT.

THE REDEVELOPMENT OF THE RIVER CLUB SITE AND THE POTENTIAL REDEVELOPMENT OF OUDE MOLEN RAISES URGENT CONCERNS ABOUT EQUITY AND ENVIRONMENTAL DEGRADATION, SERVING AS A POIGNANT REMINDER OF THE NEED FOR DELICATE BALANCE BETWEEN DEVELOPMENT AND THE PRESERVATION OF COMMUNITY VALUES.

THE PROPOSED MIXED-USE DEVELOPMENTS BY THE WESTERN CAPE GOVERNMENT THREATEN TO TRANSFORM THIS IDYLIC SETTING INTO A MORE URBANISED LANDSCAPE THAT PRIORITISES COMMERCIAL INTERESTS SIMILAR TO THE RIVER CLUB MODEL OVER COMMUNITY WELL-BEING. THESE PLANS RISK FAVOURING THE MARKET-DRIVEN WEALTHIER DEMOGRAPHIC AT THE EXPENSE OF EXISTING RESIDENTS, COMMUNITIES AND USERS UNDERMINING THE VERY PRINCIPLES OF SUSTAINABILITY AND INCLUSIVITY THAT THE ECO VILLAGE EMBODIES. COMMUNITIES ARGUE THAT THIS SHIFT WOULD LEAD TO GENTRIFICATION, ERODING THE COMMUNITY'S CULTURAL FABRIC AND ACCESSIBILITY WHILST PRIORITISING PROFIT-DRIVEN MOTIVES.

IMAGINING A FUTURE VISION OF OUDE MOLEN UNDER THESE PROPOSED PLANS EVOKES A STARK CONTRAST TO ITS CURRENT STATE; WHERE ONCE THERE WERE SPRAWLING GARDENS AND OPEN SPACES, STABLES AND HORSES, KHOISAN AND OTHER INDIGENOUS SPIRITUALITY; YOUTH DEVELOPMENT AND EDUCATION - ONE WILL SEE TOWERING STRUCTURES AND CONGESTED STREETS, POLLUTED AIR AND THE REAPPEARANCE OF APARTHEID SPATIAL PLANNING. THE POTENTIAL REZONING OF THE OUDE MOLEN PRECINCT INTO A CONCRETE JUNGLE RAISES URGENT CONCERNS ABOUT EQUITY AND ENVIRONMENTAL DEGRADATION, SERVING AS A POIGNANT REMINDER OF THE ABSOLUTE NECESSITY TO ENSURE AND UPHOLD THE DELICATE BALANCE BETWEEN DEVELOPMENT AND THE PRESERVATION OF COMMUNITY VALUES.

ARCHBISHOP DESMOND TUTU

'IF YOU ARE NEUTRAL IN SITUATIONS OF INJUSTICE, YOU HAVE CHOSEN THE SIDE OF THE OPPRESSOR. IF AN ELEPHANT HAS ITS FOOT ON THE TAIL OF A MOUSE AND YOU SAY YOU ARE NEUTRAL, THE MOUSE WILL NOT APPRECIATE YOUR NEUTRALITY.'

IN GIVING CREDENCE TO THE FUNDAMENTAL TRUTH AS ESPOUSED BY OUR LATE AND ESTEEMED ARCHBISHOP TUTU MANY ORDINARY CAPETONIANS AND OTHER COMMUNITY AND CIVIL SOCIETY GROUPINGS HAVE PUBLICLY SPOKEN OUT AGAINST THESE PLANS OF THE WESTERN CAPE GOVERNMENT. A GROUNDSWELL OF OPPOSITION TO UNFETTERED DEVELOPMENTS BY THE AUTHORITIES ARE GATHERING STEAM.

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FIGURE 2: PUBLIC PARTICIPATION PROCESS (SOURCE: HTTPS://WWW.DPSA.GOV.ZA/DPSA2G/DOCUMENTS/CDW/2014/CITIZENENGAGEMENT.PDF . 29

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2 ABBREVIATIONS

No	Abbreviation	Description
1	APRM	African Peer Review Mechanism
2	EIA	Environmental Impact Assessment
3	HIA	Heritage Impact Assessment
4	HWC	Heritage Western Cape
5	NEMA	National Environment Management Act
6	NGO	Non-governmental Organisation
7	NHRA	National Heritage Resources Act
8	OM	Oude Molen
9	OMEV	Oude Molen Eco Village
10	OMEVTA	Oude Molen Eco Village Tenants Association
11	OMP	Oude Molen Precinct
12	PAIA	Promotion of Access to Information Act
13	PAJA	Promotion of Administrative Justice Act
14	PPP	Public Participation Process
15	PSC	Public Service Commission
16	SA	South Africa
17	SAHRA	South African Heritage Resources Agency
18	TRUP	Two Rivers Urban Park
19	TRUPA	Two Rivers Urban Park Association
20	WCG	Western Cape Government

3 Executive Summary

The OMEVTA Response Document to the draft HIA articulates the collective concerns and aspirations of the community regarding the proposed redevelopment initiatives threatening the Oude Molen Eco Village. Given tight timeframes, this document serves as an initial response to the draft HIA, highlighting key issues that threaten the social, cultural, economic, and environmental fabric of the area, impacting not only the current communities and tenants but future generations too.

Our stance is rooted in a commitment to preserving the unique character and ethos of the eco-village whilst advocating for sustainable development.

The association envisions a sustainable, inclusive micro-enterprise eco-village that supports local agriculture and small businesses, whilst safeguarding the area's unique character. OMEVTA critiques the draft HIA for promoting high-density housing that risks displacing long-term residents and disrupting established social networks. Additionally, large-scale densification could lead to the loss of vital green spaces and corridors that contribute to local biodiversity and community well-being.. They argue that the proposed developments contradict principles of sustainability and heritage conservation, prioritising commercial interests over community well-being.

OMEVTA emphasises the necessity for inclusive public participation in the planning process, criticising past consultations as inadequate and marginalising community voices. They advocate for a collaborative approach that genuinely integrates local needs into future decision-making regarding the OMP. The association calls for alternative development models that focus on sustainability, job training, and public spaces to enhance community interaction. Overall, OMEVTA seeks to ensure that any future developments align with its vision of ecological integrity and community resilience, rather than succumbing to commercial pressures.

4 Introduction

This document presents a detailed response to the draft HIA, highlighting critical insights and recommendations to preserve and enhance both the tangible and intangible aspects of our cultural heritage. OMEVTA highlights the misalignment between stated goals for heritage conservation and the actual development proposals, which threaten to displace long-term residents and disrupt established social networks. The association calls for a collaborative approach that respects local heritage while addressing housing needs without compromising ecological integrity. Ultimately, the OMEVTA Response Document serves as an advocacy tool aimed at safeguarding the future of the OMEV against redevelopment threats, ensuring that community voices are heard in shaping sustainable urban development.

4.1 Background to the Response Document

The Response Document was commissioned by OMEVTA and is the property of OMEVTA. It is intended for submission as part of the existing PPP related to the HIA for the Proposed Development of the OMP, specifically for Portion of Erf 26439-RE, Cape Town, Western Cape. Stakeholders and tenants have raised significant concerns regarding the proposed large-scale housing and commercial development. They feel that this development mirrors the controversial River Club development, which has faced widespread criticism and opposition but ultimately proceeded with construction. The result is there for all to see.

4.1.1 Methodology

The OMEVTA Response Document outlines a methodology focused on gathering insights from tenants and stakeholders through interviews, supplemented by responses to the draft HIA and relevant studies. Summaries of these interviews are included in the Annexures.

However, OMEVTA encountered significant challenges due to tight timelines imposed by the WCG, limiting public response time to six weeks, which is insufficient for thorough analysis of extensive technical reports. Stakeholders (many with busy schedules; enterprises to run and not experienced in these matters) were required to navigate through numerous reports, making it a Herculean task. The complexity, technical dominance and density of the material often necessitate expertise that ordinary community members may not possess.

This creates an imbalance where only those with financial means, albeit very limited access, can even begin to engage in the process. The poor representation from the Maitland Garden Village community is attributed to the alienation experienced under the government's PPP.

Additional issues include restricted access to consultants, discrepancies in previous HIAs, and concerns about the accuracy of information presented, all of which raise questions about transparency and inclusivity in the planning process.

4.2 Background to the Oude Molen Eco Village

The OMP, historically linked to the Valkenberg Hospital, has evolved into a vibrant eco-village accommodating various tenants and activities. Established in 1997, OMEV has evolved from an abandoned psychiatric facility into a vibrant community focused on sustainability and social enterprise. This transformation was spearheaded by a group of social entrepreneurs who aimed to create a space that not only provides economic opportunities but also fosters social cohesion and environmental responsibility.

The current OMP is a low-density, mixed-use village comprising residential, institutional, hospitality, commercial, and recreational facilities.

The initial micro-enterprise village was designed to create a public urban space that promotes socio-economic and environmental sustainability while fostering respect for bottom-up, people-centred development, the environment and cultural diversity. (Bridget O'Donoghue: 2020, p. 12). This contrasts sharply with the current draft HIA that "invites harsh, intrusive building into a sensitive place that should be respected as having National and Provincial heritage significance." (Turok)

The property is currently zoned 'Utility Zoning' in terms of the City of Cape Town Municipal Planning By-law 2015: Development Management Scheme (**Daily Maverick**: 8 April 2024)

The eco-village currently supports around 30 to 40 small enterprises, employing approximately 500 individuals and attracting up to 1000 visitors/day.

4.3 Overview of the proposed development and its implications

The proposed development raises several implications for both tenants and local heritage.

4.3.1 Contradiction between stated vision and development proposal in draft HIA

OMEVTA contends that, akin to the River Club development that favoured international corporate interests and affluent demographics, the draft HIA including the proposed redevelopment for the OMP is focused on high-density, large-scale construction – that merely serves to reinforce apartheid-era spatial planning and is retrofitted to meet the WCG's brief to consultants. The apparent disregard for stakeholder and community input since 2021 and prior is profoundly troubling.

According to the draft HIA, the stated objective of the OMP is to pursue a sustainable, mixed-use development that aligns with eco-principles and honours its cultural and environmental heritage. However, there are substantial concerns about how this vision can coexist with the proposed high-density development plans outlined in the draft HIA. OMEVTA argues that the emphasis on heritage appears to be relegated to mere mitigating measures, raising questions about the genuine integration of eco-principles and respect for cultural and environmental heritage within such a dense development framework.

OMEV, a unique community situated in Cape Town and the recipient of the Design Capital of the World designation in 2010, is recognised for its commitment to sustainability, social enterprise, and community-driven initiatives.

Key aspects include potential rezoning efforts that will disrupt existing businesses and community services. OMEVTA calls for a fundamental change to the brief given to consultants, urging that it

exclude any predetermined outcomes that promote high-density, large-scale developments. Concerns about gentrification, marginalisation of heritage through mitigation strategies, increased living costs, and displacement of long-term residents are paramount. The Response Document will address these issues while advocating for a development approach that emphasises transparency, community engagement, and adherence to relevant legislation.

In light of previous unsuccessful attempts at redevelopment, this report emphasises the necessity for transparent public consultation and collaboration with stakeholders and local communities. It advocates for a development approach that prioritises ecological preservation, social cohesion, and economic sustainability, aligning with broader urban regeneration goals within the TRUP framework while respecting the historical significance of the OM site. Through this response, OMEVTA seeks to engage the relevant authorities and stakeholders in a constructive dialogue aimed at ensuring that any future developments reflect the values and needs of the community.

4.3.2 Concerns Over Development Plans

4.3.2.1 Contradiction of Objectives

The draft HIA for the OMP purports to embody a vision of sustainable heritage respect; however, this is at odds with the reality of a mixed-use proposal that prioritises construction over ecological and cultural integrity. OMEVTA is calling for a more integrated approach that genuinely incorporates eco-principles and heritage considerations into the planning process rather than relegating them to secondary status during mitigation efforts.

4.3.2.2 Community Impact

The existing OMEV is a vibrant community that supports local jobs, food security, and youth development. Community members fear that a shift towards high-density buildings could overwhelm this ecosystem, jeopardising both the unique biodiversity of the area and the community initiatives that have flourished there for nearly millennia.

4.3.2.3 Zoning Changes

Since 2015, the property is zoned for utility use, which does not support the activities taking place in the eco-village. This rezoning was surreptitiously done without any consultation of the residents or tenants at the time. The planned rezoning to allow for high-density residential and commercial structures raises alarms about potential overdevelopment and loss of green space, which OMEVTA believes should be preserved as public land.

4.3.2.4 OMEVTA's View of the Future

There is significant opposition from local residents who cherish the area's rural, agricultural and micro-enterprise footprint and are concerned about how large-scale developments might alter their community dynamics. They advocate for maintaining the precinct as an open space, public

asset as envisioned in TRUP with limited development on the Alexandra east side that complements existing eco-friendly initiatives rather than transforming it into a commercialised space.

This introduction sets the stage for a detailed examination of tenant perspectives on the proposed development, underscoring their commitment to preserving community values and ensuring sustainable urban planning.

5 Community Profile

5.1 Description of the current community structure and tenant demographics

The OMP has a rich history that dates back to the 16C. It was originally utilised by Khoe pastoralists. Since then, it has evolved into a significant agricultural site and is linked to Valkenberg Hospital. Since the 1990s it has evolved into a vibrant eco-village accommodating various tenants and activities. The eco-village reflects the values of sustainability, collaboration, and social responsibility. The current eco-village is a low-density, mixed-use development comprising residential, commercial, institutional, hospitality and recreational facilities.

5.1.1 Current Activities at OMEV

With a growing focus on mental health and well-being, OMEV serves as a unique community space that seamlessly integrates therapeutic practices, biodiversity conservation, and historical and cultural significance. This vibrant environment not only provides a sanctuary for individuals seeking emotional support but also promotes holistic wellness through its diverse offerings, such as equine therapy and community gardening.

5.1.1.1 The eco-village fosters mental well-being by creating opportunities for connection with nature and community, allowing residents to engage in meaningful activities that enhance their quality of life. The OMEV exemplifies a commitment to social cohesion and collective well-being. Therapeutic Value of Horse Therapy

Oude Molen Stables plays a pivotal role in providing equine-assisted therapy, which benefits individuals from various backgrounds, including those at Valkenberg Hospital and local schools. The stables house 42 horses, most of which are rescues that have been rehabilitated. These horses are integral to therapeutic programmes aimed at promoting mental health and well-being among participants, particularly youth from surrounding communities. The therapeutic interactions foster

emotional healing and personal development, providing a healthy outdoor alternative for children and adults alike. Yet the HIA is conspicuously silent on this living heritage contribution of the OM

5.1.1.2 Biodiversity Conservation

The eco-village is also a sanctuary for diverse wildlife, including the endangered Western Leopard Toad. This amphibian thrives in the natural wetlands surrounding the area, which are home to numerous bird species, reptiles, and other wildlife. The preservation of these habitats is crucial for maintaining local biodiversity, especially as development pressures mount. The community actively engages in sustainability initiatives that promote urban farming and environmental responsibility, contributing to the ecological health of the region.

Moreover, the emphasis on biodiversity conservation within the precinct enhances the therapeutic landscape, offering residents access to green spaces that promote relaxation and mindfulness. As discussions about potential redevelopment arise, preserving this unique blend of therapeutic practices and ecological integrity will be crucial for maintaining the vibrant spirit of OMEV, ensuring it remains a vital resource for mental health and community resilience.

5.1.1.3 Cultural and Historical Significance

OM is steeped in history, having been associated with significant events and figures. Notably, it was a site where King Cetshwayo, the last independent king of the Zulu nation, was exiled from 1881 to 1883. Additionally, the area has historical ties to early colonial agricultural practices and was once home to one of South Africa's first windmills, symbolising its agricultural heritage.

It is an integral part of the Resistance and Liberation Heritage Route, which commemorates South Africa's struggle against apartheid and colonialism. This recognition reflects the site's deep-rooted historical narratives, including its association with King Cetshwayo and its role during significant events like the First Frontier War. These connections enrich the cultural landscape of the area, making it essential to safeguard its heritage from redevelopment pressures.

This historical backdrop adds layers of meaning to the land's current use as an eco-village, emphasising the importance of preserving its unique character amidst modern development pressures.

5.2 Overview of existing businesses and services within the eco-village.

As of 2024, there are 62 tenants at Oude Molen Eco Village, a notable increase from approximately 40 tenants identified in a 2020 lease audit. Some tenants, including Robin Trust, River Lodge, Waldorf School, Pinelands Montessori, and Oude Molen Stables, hold multiple leases. The current leases expire in September or October 2024. Each lease includes a redevelopment clause,

acknowledging the Provincial Cabinet's endorsement of redevelopment plans initiated in 2005 (more about the leases later).

5.2.1.1 Current Community Structure and Tenant Demographics

The eco-village hosts a variety of businesses that play a crucial role in the daily lives of tenants. A significant portion of the current tenants have been on-site for many years, often exceeding two decades. According to the Chairperson, Dan Nesor, OMEV is home to approximately 120 residents and more than 40 businesses or enterprises, fostering a vibrant ecosystem characterised by:

- I. **Diverse Backgrounds:** Residents include families, young professionals, artists, and social entrepreneurs who share a commitment to sustainability and community engagement.
- II. **Social Enterprises:** Many businesses operate with social missions, focusing on environmental sustainability and local empowerment.

5.2.2 Overview of Existing Businesses and Services

Overview of Existing Businesses and Services

5.2.2.1 Educational, Learning and Youth Development Institutions

- **Gaia Waldorf / Montessori Schools:** A holistic school that emphasises experiential learning, valued by families for its focus on child development and environmental awareness.

Schooling models are based on non-conventional, holistic teaching methods. The OMP setting is considered perfect for integrating teaching with practical example, e.g., aspects of the biophysical environment, farming, history and heritage. Additional attractive aspects include the central location and good on-site safety.

- **The Yes We Can Sport & Jazz Foundation, NPC:** - it is a not-for-profit entity that focuses on empowering youth through sports and cultural initiatives, particularly in jazz. The foundation runs various programmes, including school holiday sports activities, weekly sports sessions for children aged 10 to 16, and monthly jazz showcases that highlight local talent. Additionally, it organises community events like the annual Oude Molen Eco-Village Jazz Festival and music events, monthly food and craft markets fostering a vibrant cultural scene while promoting social engagement and development within the community.

It also has an organic herb and vegetable garden that has a healthy partnership with UCT Food Connect and do projects to ensure sustainable living to empower young people particularly from disadvantaged backgrounds. It makes its space available to host events in order to raise funds for good causes or for members of the broader community to host community or family functions.

5.2.2.2 Food Services and Farming

- **Millstone Coffee Shop:** - Serves as a community hub where residents gather to connect over coffee and discussions about local issues.
- **Farm Stall Café:** Known for its commitment to locally sourced food, this café supports local farmers and provides healthy options for residents.
- **The Food Garden:** It is an integral part of the living heritage at OMEV. This community-driven initiative focuses on organic farming practices, providing fresh produce for both the village and the surrounding community. The garden serves as a training ground where residents can learn essential gardening skills, from planting to maintenance and composting. By incorporating traditional agricultural techniques alongside modern sustainable practices, the Food Garden not only enhances food security but also fosters a deep connection to the land and its history. It reflects the ethos of living heritage by promoting hands-on learning and environmental responsibility, ensuring that the knowledge of agriculture is passed down through generations.
- **The Kraal Non-Profit Company,** is dedicated to growing vegetables and educating youth about nature and environmental responsibility as well as the Khoe First Nations urban forest. This initiative not only emphasises agricultural practices but also embodies the principles of living heritage by integrating traditional Khoisan knowledge, also known as Indigenous Knowledge Systems, as referred to by Tauriq Jenkins, with contemporary sustainable methods. The Khoisan's historical relationship with the land provides them with a profound understanding of local ecosystems, which informs their approach to agriculture and the management of associated forested areas.

By incorporating these sustainable practices, the Kraal initiative fosters a sense of community and environmental responsibility among participants, ensuring that vital cultural knowledge is passed down through generations. This connection to the land is further enriched by the Khoisan's deep-rooted traditions, which emphasise harmony with nature and respect for all living things. Through this holistic approach, the Kraal Non-Profit Company not only contributes to food security but also reinforces the living heritage of the Khoisan people within the broader context of South Africa's diverse cultural landscape.

5.2.2.3 Health and Community Services

- **Robin Trust:** A non-profit organisation that offers care for the elderly. It operates a Frail Care Centre that provides essential support services for vulnerable community members, reinforcing a sense of responsibility among tenants to care for one another.

5.2.2.4 Animal, Therapeutic Services and Recreational Services

- **Oude Molen Stables:** This facility houses 42 horses, many of which are rescues. The stables provide riding lessons and therapeutic programmes, contributing to both local wellness and tourism.

5.2.2.5 Crafts and Arts

-Artisan Workshops: Local artisans create handmade goods that reflect the community's values. These workshops often involve tenant participation in crafting sessions.

5.2.3 Historical and Cultural Context and Significance

From the tenants' perspective, the historical significance of OMEV is deeply intertwined with their collective identity:

5.2.3.1 Cultural Resilience

Community Empowerment: The eco-village has become a beacon for social innovation. Tenants actively participate in initiatives aimed at addressing local challenges such as food security, youth unemployment, and environmental degradation. ("In 2021, Mzansi Organics, along with interns and volunteers, began assisting the Khoi First Nations people in their kraal with maintenance and food production... In 2022, we established the Khoi First Nations Forest, planting 600 native trees in a 200m² area using the Miyawaki methodology. This forest serves as part of the global rewilding movement, attracting diverse wildlife. (Daily Maverick: 8 April 2024)

5.2.3.2 A Living Laboratory

Tenants view Oude Molen as an experimental space where sustainable practices can be tested and refined. This hands-on approach fosters a sense of ownership and accountability among residents.

Through programmes that engage local youth, address food security, education and training, the OMEV embodies the principles of sustainability and social responsibility that define the OMEV. (This is explored further in Section 8)

6 Regulatory and Legislative Framework

6.1 NHRA – National Heritage Resources Act / SAHRA / HWC / Heritage Grading

Legislation as it impacts on Heritage: The National Heritage Act and the NHRA align with the SA Constitution and play crucial roles in supporting heritage and the practice of living heritage among communities like the tenants of OMEV. These legislative frameworks provide a structured approach to preserving and promoting cultural heritage, particularly living heritage, which includes traditions, oral histories, and community practices.

In South Africa, heritage is defined as the legacy of practices, traditions, and values passed down through generations, encompassing both tangible and intangible elements. According to the

National Heritage Council, heritage serves as the living collective memory of a people, informing the present while equipping future generations to shape their identity and continuity. This definition includes natural resources, cultural expressions, and historical sites that hold significance for communities and contribute to a shared national identity.

The NHRA of 1999 aligns with South Africa's Constitution by promoting the recognition of diverse cultural identities and fostering social cohesion. It aims to create a comprehensive system for managing South Africa's heritage resources. This legislation emphasises the importance of both tangible and intangible heritage, ensuring that living heritage is recognised alongside physical sites and artifacts. Specifically, the NHRA includes provisions for places associated with living heritage, such as those linked to oral traditions and community practices, thereby allowing for the protection of cultural expressions vital to community identity and continuity – as can be seen in the OMEV.

It acknowledges the significance of heritage resources in building a unifying national identity while safeguarding the rights of communities to preserve their cultural heritage.

OMEV exemplifies this rich living heritage, making it essential to consider its unique attributes in the context of the current draft HIA. The eco-village embodies a blend of cultural traditions, community practices, and ecological responsibility that reflects the values of its residents. Key initiatives—such as equine therapy programmes, educational outreach through local schools and sustainable agricultural practices - contribute to community well-being.

It is crucial that the draft HIA recognises not only the physical structures within OM but also these intangible aspects of heritage that are vital to community identity and continuity. By emphasizing the importance of living heritage—such as oral traditions, rituals, and community engagement—the Tenants Association can advocate for a more comprehensive approach to heritage conservation. This approach should respect and protect the unique cultural landscape of Oude Molen.

6.1.1 Living Heritage

The NHRA explicitly references living heritage, highlighting its importance in the broader context of South Africa's national estate, which encompasses not only historical sites but also the ongoing cultural practices and traditions that shape contemporary society. This recognition is crucial for ensuring that living heritage is valued and preserved for future generations, reinforcing the connection between past, present, and future within South Africa's diverse cultural landscape.

Living Heritage Definition: The National Heritage Act defines living heritage as the intangible aspects of inherited culture, including traditions, oral history, performances, rituals, and skills. This legislation aims to integrate living heritage into broader heritage management practices across all levels of government.

Living Heritage in Practice - Heritage Day: Celebrated on 24th September, Heritage Day recognises the cultural wealth of South Africa and encourages communities to celebrate their

living heritage. The day highlights aspects such as cultural traditions and indigenous knowledge systems, reinforcing their importance in fostering social cohesion and national identity

The tenants of OMEV practice living heritage through various activities that align with the principles established in the National Heritage framework. Among these practices, equine-assisted therapy has emerged as a significant component, particularly in addressing mental health issues within the community. This holistic approach not only supports individual well-being but also reinforces community ties and cultural identity.

6.1.2 OMEVTA's contribution to Living Heritage

OMEVTA plays a vital role in promoting Living Heritage within the framework of the NHRA by facilitating the recognition and preservation of both tangible and intangible cultural heritage, ensuring that communities can actively engage with and sustain their heritage practices for future generations.

6.1.2.1 Cultural Events and Festivals

- Community Gatherings: The village hosts events that celebrate the diverse cultural backgrounds of its residents. These gatherings feature traditional music, dance, and storytelling, allowing participants to share their heritage while fostering a sense of belonging.
- Strengthening Community Bonds: Such events enhance social cohesion by encouraging intergenerational dialogue and collaboration among different cultural groups.

6.1.2.2 Artisan Skills and Crafts

- Traditional Craft Skills: Many tenants engage in crafts such as pottery, weaving, and woodworking. These skills are often passed down through generations, preserving cultural identity and heritage.
- Legal Framework Support: The NHRA provides a legal framework that recognises and supports these traditional practices, validating the artisans' work and encouraging the continuation of their crafts.

6.1.2.3 Educational Programmes

- Workshops and Mentorship: Initiatives aimed at educating younger generations about their cultural heritage are prevalent within the village. Workshops cover topics such as traditional farming techniques, crafting skills, local history and education through jazz music.
- Adaptation of Knowledge: These educational efforts ensure that traditional knowledge is preserved while being adapted to contemporary contexts, making it relevant for today's youth.

6.1.2.4 Community Gardens and Urban Forests

- Indigenous Plant and Trees Cultivation: The cultivation of indigenous herbs, plants and trees is another way tenants practice living heritage. Community gardens serve as both a food source and a means of connecting with ancestral agricultural practices.
- Sustainability Focus: These gardens emphasise sustainability and biodiversity, reflecting a commitment to eco-friendly practices while providing educational opportunities about native flora.

6.1.2.5 Equine-Assisted Therapy

- The incorporation of equine-assisted therapy at Oude Molen Village Stables serves as a vital aspect of living heritage, particularly in addressing mental health issues within the community. This therapeutic approach not only enhances individual well-being but also strengthens community bonds and preserves traditional practices. It is noted with concern that the living heritage of the OMP is not recognised nor explored in the HIAs.
- Therapeutic Benefits: Equine-assisted therapy at Oude Molen Stables plays a crucial role in addressing mental health issues among residents. This form of therapy leverages the unique bond between humans and horses to promote emotional healing. Horses are sensitive to human emotions, providing a calming presence that helps individuals manage anxiety, depression, and trauma.
- Building Trust and Relationships: Interacting with horses fosters trust and emotional regulation. Participants learn to navigate their feelings in a safe environment, which can translate into improved interpersonal relationships outside of therapy.
- Holistic Approach: Equine-assisted therapy often includes activities such as grooming, leading, and riding horses. These activities encourage physical engagement while allowing participants to reflect on their emotions during sessions. Research indicates that this form of therapy can lead to improvements in self-esteem, communication skills, and emotional well-being.

6.1.2.6 Health Care Services: Robin Trust

The Robin Trust plays a vital role in OMEV, providing essential health care services and training programmes that cater to the needs of the community. Established in 1993, the Trust has evolved significantly since its inception, focusing on various aspects of care and support.

Key Functions of the Robin Trust include Alzheimer's and Dementia Care: Robin Trust began as a day-care facility specifically for Alzheimer's patients. It now offers permanent care for 23 residents suffering from Alzheimer's and other forms of dementia. The facility is designed to provide a supportive environment where patients can receive individualised attention and care.

Sub-Acute Care: The Trust operates a sub-acute care unit that provides step-down services for patients recovering from surgery or serious illness. This unit currently has 10 beds, allowing patients to transition from hospital care back to their homes with the necessary support.

Training Programmes: Robin Trust is committed to training caregivers, offering a month-long SETA-accredited course that prepares around 20 students monthly for careers in home-based care. Most trainees come from the Cape Flats or surrounding communities, gaining valuable skills that enhance their employability in the healthcare sector.

The training includes both theoretical knowledge and practical experience, particularly focusing on caring for Alzheimer's patients, which is relatively unique in South Africa.

Home-Based Care Services: In addition to facility-based care, the Robin Trust provides home-based care services, ensuring that individuals receive compassionate support in the comfort of their own homes. This service includes 24-hour care by professionally trained caregivers who assist with daily activities and companionship.

Community Engagement: The Robin Trust actively engages with the community, fostering a sense of belonging and support among residents. Their approach emphasises not only medical care but also emotional well-being, recognising the importance of social interactions and community connections for mental health.

Impact on Mental Well-Being - The services provided by the Robin Trust significantly contribute to the mental well-being of both patients and caregivers:

Supportive Environment: The facility's design promotes interaction with nature and open spaces, which is beneficial for dementia patients. Activities such as walks around the grounds help reduce anxiety and improve mood.

Skill Development: By training caregivers from local communities, Robin Trust empowers individuals with skills that enhance their job prospects while also providing quality care to those in need. This empowerment contributes positively to community mental health by fostering economic stability.

Therapeutic Activities: The integration of various therapeutic activities within their programmes - such as equine-assisted therapy available at nearby stables - further supports mental health recovery and emotional regulation for both patients and caregivers.

Indigenous Perspective - The practices of the Khoisan, at OMEV reflect a rich cultural heritage that is actively maintained and celebrated within the community. The National Heritage Bill provides a supportive framework for these practices, emphasising the importance of preserving both tangible and intangible cultural heritage.

6.1.2.7 Indigenous Practices of the Khoisan at OMEV (Informed by PC Aran of the Gorinhaikona)

1. Cultural Ceremonies and Rituals: The site has historical significance as a place where Khoe ceremonies and rituals were performed. The meeting of the Liesbeek and Black Rivers is considered sacred, and this area continues to be used for spiritual practices by the Khoisan community, including the Gorinhaikona, who have established a kraal on-site.

2. Traditional Agriculture and Gardening: The establishment of community gardens is a key practice among the tenants, including indigenous members. These gardens focus on cultivating traditional crops and plants that are significant to Khoisan culture, thereby preserving indigenous agricultural knowledge [. An indigenous food forest is also being developed with at least 800 trees currently (more than the 517 trees identified in the Impact Assessment), which aims to restore native plant species and promote sustainable practices.

3. Art and Craftsmanship: The Khoisan are known for their unique art forms, including rock art and crafts that reflect their history and beliefs. At OM, community members engage in traditional crafts, which serve both as a means of economic support and as a way to keep cultural practices alive.

4. Education and Knowledge Sharing: The community emphasises the importance of passing down traditional knowledge about medicinal plants, animal behaviour, and sustainable living practices. Educational programmes are organised to teach younger generations about their heritage and the significance of their cultural identity.

5. Biodiversity Conservation: The Khoisan's historical relationship with nature is reflected in their current efforts to preserve local biodiversity through initiatives like the Khoe First Nations Forest, which aims to reconnect community members with native tree species and educate visitors about local flora. This initiative not only serves ecological purposes but also reinforces cultural ties to the land.

6. Community Engagement: The Gorinhaikona have actively engaged with local initiatives at OMEV, participating in broader discussions about heritage management while maintaining their autonomy in cultural practices. Their presence is a testament to the ongoing relevance of Khoisan traditions in contemporary society.

It is clear that the tenants of OMEV exemplify living heritage through various activities that honour their diverse cultural backgrounds while promoting sustainability and community engagement. By organising cultural events, engaging in traditional crafts, implementing educational programmes, cultivating community gardens, and incorporating equine-assisted therapy into their practices, they create a vibrant tapestry of living heritage that is both relevant today and essential for future generations. The Khoisan at OMEV embody living heritage through various practices that honour their ancestral traditions while adapting to modern contexts. Supported by legislative frameworks like the National Heritage Bill, these activities not only preserve cultural

identity but also foster community resilience and sustainability. Through ceremonies, gardening, craftsmanship, education, and biodiversity conservation, the Khoisan continue to play a vital role in enriching South Africa's cultural landscape. Through these efforts, the OMEV continues to cultivate a supportive environment where traditional practices coexist with modern therapeutic approaches, ultimately enhancing the well-being of its residents.

6.1.3 National and Provincial Heritage Grading Processes underway

6.1.3.1 Grade I National and Grade II Provincial Heritage Status

Processes are underway to recognise OMP for both Grade I (National) and Grade II (Provincial) heritage status. Within this - HWC has acknowledged TRUP's outstanding heritage significance due to its historical, cultural, and environmental values, including buildings and archaeological artefacts. This recognition is crucial as Grade I sites are recognised for their exceptional significance to South Africa, while Grade II sites hold special qualities significant within a province or region. The draft HIA ignores the fact that SAHRA is currently busy with a process to consider grading the entire site as Grade 1. Contrary to the draft HIA reference (HIA: 74) - SAHRA have not rejected the application for grading but are actively in the process of assessment. Case 16907 did not pertain to the TRUP but to an application for Provisional Protection of the River Club site, an area also located in the TRUP but distinct from Oude Molen. It was HWC itself that responded to a nomination of the TRUP as a Provincial Heritage Site by concluding there was sufficient evidence for Grade I status to warrant referral to SAHRA in July 2021. SAHRA is still busy with assessment. This is a grave flaw in the draft as it ignores the active grading process underway by SAHRA, particularly given that this was a recommendation made by HWC regarding the TRUP. The National Heritage Council of SA (NHC) has also taken a keen interest in preserving and protecting the heritage significance of this area.

Relevant Legislation and Liberation Routes

- The management of heritage sites in South Africa is primarily governed by the NHRA. This act mandates that any alterations to heritage sites require proper permits from relevant authorities. The inclusion of OMEV in the Heritage Liberation Routes aligns with this legislation, emphasising the need for thorough assessments before any redevelopment occurs. Additionally, the Cultural Heritage Management Policy encourages the integration of heritage conservation into urban development plans, reinforcing the importance of preserving sites like OM within broader socio-economic and cultural frameworks that are not subsumed by boxed-in mitigation measures.

- HIA: Despite these ongoing applications, the HIAs related to the OMEV have been criticised for being silent on these critical processes. The assessments must consider the implications of redevelopment plans on heritage status applications. The HWC has previously noted that areas within TRUP, like OMP, are integral to a highly significant cultural landscape, warranting protection

before any redevelopment occurs. This raises questions about the thoroughness and transparency of the HIAs conducted.

- Ongoing Redevelopment Plans: Proceeding Without Completed Processes

The redevelopment plans for the OMEV are moving forward despite these heritage status applications being resolved.

The situation surrounding the OMEVTA encapsulates a complex interplay between heritage preservation and urban development. The silence of these HIAs on critical heritage processes and the advancement of development plans in draft HIA's raise significant ethical and legal questions regarding how South Africa manages its rich cultural heritage amidst contemporary urbanisation. The relevant legislation underscores the necessity for comprehensive assessments and community involvement in decisions affecting historically significant sites like OMP.

6.2 NEMA / EIA

NEMA, enacted in 1998 in South Africa, serves as the primary framework for environmental governance. It aims to enforce Section 24 of the South African Constitution, promoting cooperative governance whilst balancing economic development and environmental protection. NEMA establishes principles for decision-making regarding environmental matters and mandates public participation in governance processes including decision-making outcomes.

OMEVTA is strongly recommending for a full EIA rather than the current rezoning application (regularising). To wit, the OMP was not required to undergo a full EIA primarily due to its current characterisation as a Utility Zone. This zoning classification does not permit the activities currently taking place, and the ongoing process aims to regularise this through rezoning applications rather than a full EIA. A HIA must be conducted to address cultural and environmental considerations, aligning with the NHRA requirements. Community input should be integrated into assessing potential impacts related to future redevelopment.

Furthermore, OMEVTA seeks clarity on the proposed 34% social housing location and whether this had any impact on the circumvention of a full EIA.

The OMEVTA strongly calls for a full EIA because the current Utility Zoning obfuscates the environmental issues. Conducting a full EIA on the OMP could have several significant impacts, viz:

- 1. Comprehensive Evaluation** - An EIA would provide a detailed analysis of potential environmental, social, and heritage impacts, ensuring that all aspects are considered prior to any redevelopment process.
- 2. Community Engagement** - It will enhance public participation, allowing community concerns to be formally addressed with written feedback, which is crucial given local apprehensions about development overwhelming existing initiatives.

3. Regulatory Compliance - It would ensure compliance with NEMA and other relevant legislation, potentially avoiding legal challenges related to environmental governance.

Overall, an EIA could facilitate a balanced approach to development that respects both ecological integrity and community needs.

6.3 PAJA 2000

6.3.1 PAJA Mandate

PAJA is a key legislative framework designed to ensure that administrative actions by public authorities are lawful, reasonable, and procedurally fair. This act is particularly relevant for OMEVTA as they respond to the September 2024 HIA regarding proposed redevelopment in their area.

6.3.1.1 Overview of PAJA – PAJA was enacted to give effect to the right to just administrative action as guaranteed in the SA Constitution. It provides citizens with the ability to:

- Challenge administrative decisions that affect their rights.
- Request reasons for decisions made against them.
- Seek judicial review of administrative actions that are perceived as unjust or unlawful.

6.3.2 Key Provisions of PAJA

1. Right to Fair Administrative Action: Ensures that any decision made by a public authority must be lawful, reasonable, and procedurally fair.
2. Procedural Requirements: Authorities must provide adequate notice and an opportunity for affected parties to present their views before decisions are made.
3. Judicial Review: Affected individuals can challenge decisions in court if they believe their rights have been infringed. Seeking legal relief under PAJA can present significant challenges for OMEVTA, operating as a Small, Medium, and Micro Enterprise.

6.3.3 OMEVTA's Concerns Regarding the 2024 HIA

In light of the ongoing HIA for the OMP, OMEVTA has expressed concerns that their rights are not adequately protected under PAJA. Here are some specific areas where they feel vulnerable:

1. Lack of Adequate Consultation

OMEVTA members feel that they have not been sufficiently consulted during the HIA process. PAJA mandates that affected parties must be given a fair opportunity to participate meaningfully in decision-making processes, which includes providing input on proposed developments that could impact their community without this having been relegated to media centres through the application of mitigation measures.

2. Inadequate Notice and Information

OMEVTA believes that they have not received adequate notice regarding the proposed plans or details about the HIA, this could be a violation of their rights under PAJA. Residents must be informed about how they can engage with the process and what timelines are involved.

3. Insufficient Response to Objections

The tenant's association feels that their objections and comments regarding the HIA are not being taken seriously or adequately addressed by authorities. PAJA requires that all comments received during public consultations must be considered, and residents should receive written feedback on how their input influenced decision-making and what assessment framework informed this process.

For OMEVTA, in the words of its Chairperson Dan Neser - leveraging PAJA effectively is crucial in ensuring their rights are protected during the redevelopment discussions surrounding OMP. By emphasising procedural fairness, adequate consultation, and robust participation in the HIA process, tenants would advocate for their interests and ensure that any future developments align with their community's needs and values.

PAJA mandates transparency, accountability, and fair procedures in administrative actions. The OMEVTA calls for urgent written feedback on past PPP and clarity on how tenant inputs were considered within decision-making frameworks.

It is important to underscore that "PAJA is designed to ensure transparency, accountability, and fair procedures in administrative actions". It mandates that individuals have the right to be informed about decisions affecting them and TO RECEIVE WRITTEN reasons for any adverse decisions. However, the OMEVTA contends that the WCG has not once engaged with tenants regarding how their previous inputs were integrated into current processes or the draft HIA.

6.3.4 Impact on PPP

OMEVTA has raised concerns regarding the WCG's compromised adherence to PAJA. We argue that the PPP have been superficial and lack meaningful engagement with tenants regarding how their inputs were integrated into current processes. It is our view that the WCG has cynically failed to provide any meaningful feedback on its public participation processes, which in essence are mere "lightweight tick box exercise."

6.4 Public Participation Processes – Public Service Commission and African Peer Review Mechanism



Figure 2: Public Participation Process (Source: <https://www.dpsa.gov.za/dpsa2g/documents/cdw/2014/citizenengagement.pdf>)

The 2008 PSC report on public participation emphasises the necessity for government departments to institutionalise public engagement effectively. Key points include:

- *Inconsistent Practices: Public participation is often implemented unevenly across departments, lacking dedicated structures and resources.*
- *Training Needs: Staff involved in public participation frequently lack specialised training, which is essential for effective engagement or management of public participation consultants.*
- *Policy Development: The PSC urges departments to create specific policies and guidelines for public participation, including establishing dedicated units to enhance citizen involvement.*

6.4.1 Implications for OMEVTA

The findings from the PSC report highlight deficiencies in the WCG's public participation processes, suggesting the following:

- *Lack of Institutional Support: The absence of dedicated units undermines effective public engagement. Lack of access to consultants and WCG staff outside of the narrow window for stakeholder meetings usually of 2 to 3 hours duration only.*

- *Inadequate Training: Without trained personnel, community needs may not be adequately addressed.*
- *Need for Genuine Engagement: Current practices may not allow for meaningful citizen input, risking community trust and satisfaction.*

6.4.2 Role of Public Participation Consultants

Public participation consultants can play a vital role in improving engagement processes by:

- **Assessing Current Practices:** They can evaluate existing public participation methods and recommend improvements tailored to specific community needs.
- **Facilitating Engagement Activities:** Consultants can design and implement engagement strategies that ensure diverse community voices are heard.
- **Training Officials:** They can provide training to local officials on effective public engagement techniques, fostering better communication and collaboration with citizens.

The 2008 Public Service Commission (PSC) report titled "*Report on the Assessment of Public Participation Practices in the Public Service*" emphasises the need for government departments to institutionalise public participation. It highlights that many departments lack structured guidelines and dedicated units, leading to inconsistent engagement with citizens. The PSC recommends developing specific policies and establishing public participation units to ensure meaningful involvement in decision-making processes, fostering transparency and trust between government and communities. It is noted with concern that consultants and WCG staff have been unavailable to stakeholders referring us instead to their website.

6.4.3 The African Peer Review Mechanism

The APRM is a voluntary initiative established by the African Union to promote good governance and socio-economic development among member states through self-assessment and peer review. It provides a structured framework for national dialogue, allowing countries to evaluate their governance performance against agreed political, economic, and corporate governance standards. The APRM emphasises the importance of meaningful public participation in development processes, encouraging government officials to engage with civil society and stakeholders to ensure that diverse perspectives are considered in decision-making. In line with this, the PSC Guidelines advocate that government officials subject themselves to peer review to enhance the effectiveness of public participation processes during development initiatives. By engaging in peer reviews, government entities can assess their public participation strategies, ensuring they are inclusive and effective in addressing community needs. The PP consultant's role becomes important in this context. This approach not only fosters trust between the government and the public but also reinforces the importance of meaningful engagement in decision-making processes, particularly in contexts like OMEV, where community heritage and interests are at stake.

In response, the OMEVTA is calling on the WCG to implement more effective mechanisms for public participation, such as a broad coalition to engage with government and the consultants or a stakeholder committee with a mandate of decision-making powers or a referendum. This aligns with the PSC's recommendations and underscores the necessity for robust frameworks that facilitate genuine engagement. Additionally, the principles of the APRM support these objectives by promoting good governance through inclusive public participation, reinforcing OMEVTA's call for a systematic approach that respects community input and fosters collaboration in governance.

6.5 Policy Framework

6.5.1 Exclusion of Germane Reports / Provincial & National Status Timeline of TRUP Policy 2002

6.5.1.1 Exclusion of previous reports in current impact assessments

Based on input from interviewees the current draft Heritage HIA fails to firstly acknowledge previous assessments and processes and thus neglects to incorporate the aforesaid assessments, raising concerns among OMEVTA members regarding transparency and accountability from the WCG. The absence of any reference to these earlier reports suggests either a deliberate omission of significant issues or indifference to previous HIAs. Either way it is considered an egregious omission which undermines the integrity of the assessment process. This situation appears to create a narrative where the existence of seemingly non-compliant reports is ignored, allowing for a lack of accountability in decision-making. Such practices not only obscure critical historical data but also hinder effective heritage management and protection efforts.

This Response Document has highlighted key findings from the available Bridget O'Donoghue Draft Report, titled "*Desktop Study of Existing Buildings Oude Molen Precinct, Cape Town 2020*," as it aligns with the principles and framework that OMEVTA seeks to pursue in relation to the current proposals. The 2020 Draft Report presents a compelling argument for the preservation of heritage buildings within OMP. O'Donoghue emphasises the diverse future uses these structures could support, such as residential, educational, healthcare, retail, and creative spaces. She advocates for **retention over mitigation**, arguing that preserving these buildings offers a more comprehensive approach to heritage conservation, which ultimately benefits the community. This contrasts sharply with the current draft HIA, which limits heritage considerations to a small area and suggests demolishing many older structures to facilitate redevelopment.

O'Donoghue's vision includes developing an eco-village focused on micro-enterprise activities, promoting economic growth while fostering community engagement and sustainability. She stresses that any new developments should respect the existing architectural heritage and enhance the area's historical character. However, concerns have arisen from the community and organisations like OMEVTA regarding the exclusion of O'Donoghue's findings from the current

HIA and their absence from the WCG's website. This has raised questions about transparency and the potential for development plans that may not align with community interests or heritage preservation goals.

6.5.1.2 Policy Timeline

The Table below captures the policy timeline as experienced by OMEVTA and other community stakeholders.

<p>Pre-2000s Context - Historical Background</p> <p>For generations, our communities have relied on this area for its natural beauty and cultural significance. The TRUP has been a gathering place for our families, a site of historical importance for indigenous peoples, particularly the Khoisan</p>
<p>2002 – Aikman and Associates Report</p> <p>The Contextual Framework and Phase 1 or TRUP Policy report by Aikman and Associates recognised TRUP as a historically evolved landscape. While it highlighted the need for community engagement, we feel that these recommendations have not been adequately implemented in practice.</p> <p>(London: Superseded by the 2020 revised policy document)</p>
<p>2016 - Baseline Study</p> <p>A study commissioned by the Department of Transport and Public Works identified TRUP's heritage significance. However, as tenants, we were disappointed that our voices were not included in this assessment, despite its implications for our community. The Heritage Western Cape (HWC) confirmed TRUP's Grade II heritage significance. While this recognition is important, it has not translated into meaningful protections for us as residents who rely on this space.</p>
<p>February 2017 - HWC Review</p>
<p>October 2017 - Supplementary Report</p> <p>This report emphasised the need for cooperative solutions involving local stakeholders. Yet, many of us feel that our concerns are often sidelined in favour of broader development interests. (London, Turok)</p>
<p>2018 - Provisional Protection:</p> <p>Provisional protection measures were established to safeguard TRUP from development threats. However, we remain sceptical about their effectiveness and whether they truly reflect our needs as tenants.</p>
<p>2020 – Policy document that superseded the 2002 Aikman and Associates Policy document</p>

8 December 2020 - Bridget O'Donoghue: Draft "*Desktop Study of Existing Buildings Oude Molen Precinct, Cape Town 2020*,"

2022 - Bridget O'Donoghue HIA: **Not available on the WCG OMP website**. Access via PAIA in motion, but cumbersome and bureaucratic.

Ongoing - Provincial and National Heritage Grading of TRUP Provincial (Grade II) and National (Grade I) heritage underway.

6.5.1.3 Conflicting Consultant HIA Outcomes Commissioned by the WCG

Bridget O'Donoghue: 8 December 2020 (In the absence of the 2022 HIA this section will rely on a previous O'Donoghue Study)

The Bridget O'Donoghue Draft Report, titled "*Desktop Study of Existing Buildings Oude Molen Precinct, Cape Town 2020*," provides an analysis of the heritage significance of buildings within the OMP. The report strongly advocates for the retention of these buildings rather than their demolition, emphasising their potential to support micro-enterprises and community initiatives.

The report highlights the potential for diverse future uses, including residential, healthcare, education, small-scale retail, creative studios, and workshops. She advocates for these structures as integral components of the community's fabric, contrasting with the current draft HIA approach that confines heritage considerations to a limited area of 788m² as part of mitigation strategies a la the River Club Model.

Key Points from the Report:

Diverse Future Uses: The existing buildings can serve multiple functions - residential spaces, educational facilities, healthcare services, small retail shops, and creative studios. This versatility underscores their value to the community.

Retention Over Mitigation: O'Donoghue argues for the retention of these buildings rather than adopting a mitigation model that restricts heritage significance to a specific footprint. She believes that preserving these structures allows for a more holistic approach to heritage conservation that benefits the community.

Eco-Village Concept: She promotes the idea of developing an eco-village centred around micro-enterprise activities. This approach not only supports economic development but also fosters a sense of community and sustainability.

Sensitivity to Heritage: Any new development should be sensitive to the existing architectural fabric and the site's heritage value. This includes respecting views and vistas that contribute to the historical character of the area.

Potential for New Development: There are areas on the site where new development could occur, particularly to the east where prefabricated buildings have been removed, leaving only concrete plinths. However, O'Donoghue insists that any new construction must align with the preservation goals for the existing structures.

The Draft Report's emphasis on retention and adaptive reuse stands in stark contrast to the current draft HIA's focus on mitigation, advocating instead for a vision that enhances community engagement through sustainable development and preservation of cultural heritage.

OMEVTA is questioning why O'Donoghue's findings and recommendations were excluded from the current HIA and why it is not listed on the WCG OMP's website along with other germane documents.

6.5.1.4 Impact on the Oude Molen HIA Process

OMEVTA expressed a deep concern about the ongoing redevelopment processes surrounding TRUP, stating, "There are numerous overlapping processes that have been in place since before 2002. Each time the community has voiced its objections, however now in October 2004, we find us back at square one." Its chairperson indicated "We are not opposed to development; rather, we oppose the idea of allowing development to compromise what is a unique and a natural heritage site that must be preserved intact."

The developments surrounding TRUP have had significant implications for the OMP HIA process:

- Informed Assessments: The findings from both the 2002 Aikman and Associates Report and subsequent studies have informed assessments related to proposed developments in the OM area, emphasising the need to preserve historical narratives associated with indigenous communities.
- Legal Protections: The recognition of TRUP's heritage significance has led to legal actions – notably at the River Club - aimed at protecting it from detrimental developments. Community organisations have used these findings to advocate for stronger enforcement of heritage protections.
- Community Engagement: The emphasis on public participation in heritage management has empowered local stakeholders, including OMEVTA, to actively engage in discussions regarding development proposals affecting both TRUP and OM.

6.5.1.5 Cape Town Design Capital of the World

While the reports developed during Cape Town's initiative to become the Design Capital of the World emphasise commitments to heritage preservation and sustainable urban development, the reality on the ground often tells a different story. Community and stakeholder objections, which are crucial for fostering inclusive and equitable planning processes, frequently seem to be overlooked or relegated to "File 13". This disconnect between documented intentions and actual implementation highlights the challenges of engaging with local communities effectively.

Despite the well-meaning frameworks and assessments, the ongoing tensions between development goals and community concerns underscore the need for genuine dialogue and collaboration to ensure that urban redevelopment truly reflects the needs and aspirations of those it affects and future generations. Notwithstanding, TRUP serves as a crucial site for understanding Cape Town's complex history. The insights gained from the 2002 Aikman and Associates Report should continue to guide heritage assessments and management strategies, ensuring that development does not come at the expense of preserving this culturally rich landscape.

6.6 Lease Agreements and Clause

The OMEVTA is particularly concerned that tenants' latest and first 3-year lease, which expires in September/October 2025, has been mischaracterised in the draft HIA by suggesting that lease renewal is tied to development rights: "The occupants are the tenants of the Western Provincial Government Department of Public Works (WPGDPW). The current lease agreement term with the tenant's association members is set for three years subject to renewal if the development rights in terms of the current process have not been obtained. There is a clause in the lease agreement that deals with earlier termination in the event the development rights process has successfully concluded before the term. However, once the development rights have been obtained the department will issue all tenants with a termination notice and when site clearance is required." (Draft HIA p45)

OMEVTA negotiated with DPW to tie the lease renewal to "the existence of a development plan that has gone through all necessary legal procedures" (see excerpt from public notice issued by OMEVTA 15 July 2022 below):

"1. Public Works has agreed to include this addition (highlighted in bold and italicised) to clause 6.3 in both the renewed residential and commercial leases:

6.3 The Lessor must notify the Lessee in writing, as soon as possible after receipt of such application for extension whether the application was approved or not and must give clear and cogent reasons if the application was not approved. ***If the Lessee has performed as described in clause 6.8, the only reason for not granting an extension will be the existence of a development plan that has gone through all necessary legal procedures.***

This ties the extension of these leases to specific performances by both parties and negates the possibility of arbitrary cancelling following the initial 3-year period which is what the original "Preamble" was designed to do."

This clause, grudgingly agreed to by the Western Cape DPW, was designed to simplify the Preamble that fronted the previous month to month lease. The Preamble effectively granted, to the leaseholder, participation in the actual design process of development plans.

As there is a big difference between rights and plans, this suggests conscious misrepresentation not genuine error. Also, according to OMEVTA, there is no earlier termination clause if legally legitimate plans (not rights) are achieved. The termination of leases would then be a negotiated process. This "error" needs to be addressed as it undermines trust in the honesty of WCG's approach."

6.7 Tender Documents

6.7.1 The inaccessibility of the tender document

The inaccessibility of the tender documents for LO 14/23 has raised significant concerns among the Oude Molen Tenants. We were unable to establish the veracity of the tender amount of R11,617,047.06 for a 12-month period starting from 1 October 2023 to 30 September 2024. Despite our attempts to access these documents, they have not been found on available tender portals, which is a violation of the mandatory requirements set forth by the National Treasury regarding tender publication.

6.7.1.1 Community Concerns and Public Participation

1. Community Objections and Input: There is uncertainty about how community objections and input will be handled during the public participation phase as outlined in the Development Proposal Package dated 10 July 2024. The lack of access to tender documents may hinder effective participation from OMEVTA who wish to voice their concerns or suggestions.
2. Status of the Tender: The current status of the LO 14/23 tender remains unclear due to its absence from public portals. This raises questions about whether the tender process is still active or if it has been suspended or cancelled.
3. Processing of Public Participation Input: Given that the tender has potentially lapsed without clear communication on its status, it is crucial to establish who will be responsible for processing the current phase of public participation input, including this Response Document. This lack of clarity has led to further frustrations among community members who seek transparency and accountability in the tendering and draft HIA processes as it impacts their livelihoods and very existence.

6.7.1.2 Recommendations for Resolution

We recommend that the following should be done in respect of the tender issued:

- *Immediate Clarification: The WCG should provide immediate clarification on the status of the LO 14/23 tender and ensure that all necessary documents are accessible via official portals, including the WCG OMP website.*
- *Enhanced Communication: Establish a clear communication channel for community members to express their concerns and receive updates regarding public participation processes, including access to consultants and WCG officials during the entire process – not just the online WCG OMP portal.*
- *Adherence to Regulations: Ensure compliance with the mandatory utilisation of e-Tender portals as stipulated in PFMA SCM Instruction No. 09 of 2022, which requires all bid opportunities and awards to be published transparently.*

6.8 Successful legal precedents that overturned government processes/decisions because of inadequate PPP

In South Africa, there have been several legal precedents where government processes were overturned due to inadequate public participation. It is OMEVTA's contention that meaningful consultation with all stakeholders is disregarded and community inputs serve merely to pretend to comply with legislative requirements. PPP should not be an adjunct to planning processes but an integral part of the decision-making outcomes. Our legal jurisprudence is replete with instances where decisions or actions of authorities are set aside or declared unlawful due to inadequate and not genuine public participation or consultation. Below are notable examples:

6.8.1 Shell vs local communities & Environmental Organisations SCA 3 June 2024

This ruling followed a series of legal challenges initiated by local communities and environmental organisations against Shell and its partner, Impact Africa, regarding the legality of their seismic surveys in the Wild Coast region. The High Court had previously issued an interdict to halt these operations pending further review, citing inadequate consultation with affected communities and potential harm to marine life.

Helen Acton in Good Governance Africa (Online: <https://gga.org/meaningful-consultation-with-communities-what-does-it-mean/>) is instructive here. She contends that government should be aware that communities are not secondary to planning processes. Communities and their Constitutional rights should be taken seriously. Communities must be meaningfully included in decisions that are likely to impact them. This case is important as it calls for a fundamental shift towards meaningful inclusion in decision-making by affected communities. The court criticised Shell's notification procedures for being inadequate that many community members could not access or understand.

6.8.2 Doctors for Life International v Speaker of the National Assembly and Others (2006)

This landmark case established that legislation can be declared invalid if there is a lack of meaningful public participation in the law-making process. The Constitutional Court emphasised that all interested parties must feel they have had a real opportunity to express their views and that these views should be seriously considered. The court ruled that the failure to facilitate adequate public involvement rendered the legislative process unconstitutional.

6.8.3 Mogale and Others v Speaker of the National Assembly and Others (2023)

The Constitutional Court found that Parliament failed to comply with its constitutional obligation to facilitate public involvement before passing the Traditional and Khoi-San Leadership Act. The court identified numerous deficiencies in the public participation process, including insufficient notice for hearings and lack of accessibility, leading to the Act being declared invalid.

6.8.4 South African Iron and Steel Institute and Others v Speaker of the National Assembly and Others (2023)

In this case, the Constitutional Court ruled that Parliament had a duty to facilitate public participation regarding amendments made to a bill after the initial public comment period had ended. The court held that significant changes, such as new definitions affecting regulatory requirements, necessitated further public involvement to ensure a fair legislative process.

6.8.5 South African Veterinary Association v Speaker of the National Assembly and Others

This case involved an amendment to the Medicines and Related Substances Act that included last-minute provisions affecting veterinarians without adequate consultation. The court found that the failure to notify affected parties undermined the purpose of public participation, leading to parts of the amendment being struck down.

These cases illustrate the critical importance of public participation in South Africa's legislative processes, reinforcing that inadequate engagement can lead to significant legal consequences, including the invalidation of laws.

The full details of the aforementioned case law may be obtained from the SAFLI website at: <https://www.saflii.org/za/cases/ZACC/2018/49.html>

7 Defining OMEVTA's Challenges and Objectives

Here-under follow more detail of what has been indicated earlier in this document (some might be repetition but are stated for purposes of emphasis:

7.1 Analysis of Key Concerns Regarding Proposed Development / OMEVTAs Vision for the Future

OMEVTA is deeply concerned about the ongoing rezoning process initiated by the WCG, which threatens the very essence of the Eco Village. This situation presents a potential contradiction between the government's plans for high-density development or "(A)n exclusive housing estate" which might also be cynically used as staff housing for the Amazon building which is in sharp contrast to OMEVTA's efforts to preserve the unique heritage and ecological integrity of Oude Molen.

OMEVTA seeks to address several critical issues in the WCG's report regarding the proposed development of the OMP. These include concerns about previous feedback processes that are seemingly non-existent as a fresh database was compiled by WCG in 2024 - nor do current processes integrate OMEVTA's previous concerns, the rezoning and ongoing redevelopment plans without adequate consultation, transparency in public participation and consultation and lack of written feedback, relevant legislation, and the potential negative implications of the development on local heritage and preservation, the deleterious economic impact - as highlighted by the impact on the tenants - the environment and community well-being.

7.1.1 Key Concerns

The vision articulated by the OMEVTA emphasises sustainable, community-centric development that preserves the area's unique character and ecological integrity. In stark contrast, the provincial government's development proposal for high-density housing threatens to displace existing residents and disrupt local ecosystems, prioritising rapid urbanisation over the community's well-being. This contradiction highlights a fundamental clash between the community's desire for inclusive, environmentally responsible growth and the government's push for immediate housing solutions that may undermine the very fabric of the eco-village. OMEVTA has articulated a comprehensive list of concerns regarding the WCG current draft 2024 HIA and the ongoing rezoning process for the OMP. These concerns encompass a wide range of issues critical to the preservation of the Eco Village's unique character and ecological integrity.

7.1.1.1 Contradiction between stated vision and development proposal

The draft HIA for the OMEV reveals a significant misalignment between its stated vision for sustainable development and the actual proposal for large-scale densification. While the vision emphasises preserving the area's ecological and cultural heritage, the proposed high-density

developments contradict this aim by threatening to disrupt local ecosystems, displace residents, and alter the community's character. This inconsistency raises concerns about the commitment to sustainability and heritage conservation in the face of aggressive urbanisation efforts.

7.1.1.2 Inadequate PPP and Transparency

OMEVTA has noted a significant absence of meaningful public consultation throughout the rezoning process. Previous feedback mechanisms appear to have been overlooked, as a new database compiled by WCG in 2024 does not reflect past community concerns.

OMEVTA is also keen to establish whether the consultants or the WCG has been in contact with any potential developer. Related to this OMEVTA wants to ascertain what the status is of establishing a Cape Health Technology Park in the OMP and how this relates to Biovac, if at all? Here are the main points reflecting the community's reception:

- i. **Perceived Lack of Genuine Engagement:** Many community members feel that the public participation efforts have not been sincere or comprehensive. Despite being invited to provide input, residents believe their concerns have often been overlooked or inadequately addressed in decision-making processes.
- ii. **Frustration Over Previous Feedback:** OMEVTA has expressed dissatisfaction with how their previous feedback was handled. They emphasise a need for clarity regarding past engagement processes and documentation, indicating that earlier community input has not influenced subsequent planning effectively.
- iii. **Concerns About Transparency:** There is a strong sentiment that the process lacks transparency. Residents are calling for clearer communication about how public input is being utilised and how decisions are made, which they believe would enhance trust in local governance.
- iv. **Inadequate Consultation on Rezoning:** The community has raised red flags about the rezoning process that occurred without adequate consultation. This has led to feelings of marginalisation among residents who feel their voices were not considered in significant decisions affecting their livelihoods and environment – especially since the current Utility Zoning happened without their knowledge.
- v. **Desire for Inclusive Dialogue:** The community advocates for a more inclusive dialogue that genuinely considers diverse perspectives, particularly from marginalised groups. They believe that effective public participation should reflect a broad spectrum of community voices rather than just those with the loudest opinions.
- vi. **Impact on Local Identity and Heritage:** Residents are concerned that the proposed development threatens the unique identity and heritage of OMEV. They argue that genuine public participation should prioritise preserving local culture and history alongside development goals.

ii. **Calls for Accountability:** Community members are demanding greater accountability from decision-makers, insisting that PPP should lead to tangible outcomes that reflect community needs and aspirations.

7.1.1.3 Omission of Previous HIA Documents

The absence of earlier HIA documents that contradict the current draft raises questions about the consistency and reliability of the heritage assessments being conducted.

7.1.1.4 Heritage Preservation

Heritage Preservation: Residents are concerned about the potential loss of cultural and historical heritage associated with high-density developments that may obstruct views of Table Mountain and alter the area's historical significance.

- **Lack of Consideration for Heritage Site Designation:** The WCG is moving forward with development plans despite an ongoing process at both provincial and national levels to declare the OMP a heritage site. According to Leslie London SAHRA has not rejected the nomination and the grading process is still continuing. This situation has led to questions about the WCG's commitment to heritage preservation and its alignment with legislative frameworks designed to protect such sites. The community argues that this oversight undermines efforts to safeguard their cultural and historical resources.

- **Burial sites:** Additionally, OMEVTA emphasises the importance of burial sites as a critical heritage indicator, necessitating thorough investigation beyond surface assessments. The need for transparency in PPP is underscored, particularly regarding the accessibility of relevant documents. The inclusion of community and indigenous voices in decision-making is crucial as they may have valuable knowledge about historical burial practices and locations.

- Living Heritage Concerns

- The assessment neglects to address aspects of living heritage, which are vital for community identity and continuity, including cultural practices and traditions developed within the Eco Village.

- **Impact on Equine Activities:** The omission of horses from discussions about the Eco Village is concerning. The community relies on equine-assisted therapy programmes and recreational riding, which could be adversely affected by proposed developments.

7.1.1.5 Absence of Tender Documents

OMEVTA is alarmed by the lack of the tender documentation regarding this current process, raising concerns about transparency and accountability in the planning process.

7.1.1.6 Potential for Gentrification

There are fears that high-density developments, particularly a medical park, is seen as part of a broader trend that may lead to gentrification, transforming the area into an exclusive housing estate that undermines local heritage and displaces existing residents. Increased property rates could disproportionately burden local residents as well as those in the neighbouring Maitland Garden Village.

7.1.1.7 Inadequate Infrastructure Planning

Beyond transportation concerns, there are worries about whether existing infrastructure can support high-density housing without compromising community resources or quality of life.

7.1.1.8 Maitland Garden Village

How will the anticipated gentrification affect Maitland Garden Village? Will the development of the OMP lead to increased taxes and rates, making it unaffordable for residents to remain in Maitland Garden Village and over time the residents of that community being 'forced' to sell their properties with the character of that community changing as happened in places like Woodstock and Salt River?

7.1.1.9 Lease expiration

OMEVTA has red-flagged the expiration of current tenant leases in September and October 2025 and is seeking clarity regarding the renewal of these leases for tenants whose livelihoods are inextricably linked to the OMEV.

7.1.1.10 Mitigation vs Retention and Adaptive Reuse

The 2020 Bridget O'Donoghue draft document emphasis on retention and adaptive reuse stands in stark contrast to the current draft HIA's focus on mitigation to justify aggressive development that benefits commercial interests. The concern is that the 2020 Draft - advocating for a vision that enhances community engagement through sustainable development and preservation of cultural heritage – is excluded because it does not comply with the WCG's brief for large-scale commercial development. Retention and adaptive reuse will also obviate the need to demolish buildings older than 60 years dictated by a WCG brief that requires space to set-up concrete structures obliterating arable, agricultural land.

7.1.1.11 Environmental Impact and Rezoning

Concerns are raised regarding potential habitat loss for urban wildlife and biodiversity within the Eco Village. Development could disrupt existing ecosystems, particularly affecting green corridors essential for local biodiversity. The Western Leopard Toad is also at risk. Clarity and an explanation are also sought concerning the circumvention of a full EIA itself. This is linked to the current

controversial Utility Zoning for the OMP and the allocation of 34% social housing. Specifically, OMEVTA's concern is whether the extant draft HIA includes social housing as part of the OMP or whether it is earmarked for the area adjacent to Pinelands Station. OMEVTA seeks clarity regarding the circumstances that led to the Utility Rezoning in 2015, a situation they only became aware of in 2021. Furthermore, OMEVTA seeks clarity regarding the reason for the circumvention of a full EIA. Is it the current Utility Zoning that happened in 2015 but only became known to OMEVTA in 2021? Is it linked to the current social housing component as identified in Burls. Either way, OMEVTA is seeking for a full EIA as the current zoning is misleading and misleading.

7.1.1.12 Economic Implications

OMEVTA has raised concerns regarding the redevelopment plans for the OMP, emphasising that these plans could adversely affect local businesses and community initiatives, particularly those focused on food security, job and youth training programmes, education, small scale farming, indigenous knowledge systems and mental health. They are seeking clarity on how a more qualitative approach, which includes meaningful feedback and active involvement in decision-making from tenants and stakeholders, could influence economic projections included in the HIA.

Additionally, OMEVTA is questioning why the Economic HIA did not receive guidance from Nigel Burls and Associates, the lead team responsible for this proposal and draft HIA. In the Burls document the section on Socio-economic Impact Assessment has no content except for a heading. This inquiry highlights the importance of integrating stakeholder perspectives into the planning process to ensure that community needs are adequately addressed alongside development goals.

These concerns collectively underscore some of OMEVTA's apprehension that the WCG's plans may prioritise development over community needs, heritage preservation, and environmental sustainability, threatening the very essence of the OMEV. This has left community members feeling unheard and marginalised in decision-making processes.

7.1.2 Summaries of Interviews conducted with OMEVTA and other Stakeholders

Summaries of interviews conducted with OMEVTA members are included in the Annexures. This document prioritises OMEVTA and community stakeholder views and concerns, which have not been adequately represented in any of the HIAs.

7.2 OMEVTA's Vision for the Future

This section outlines a framework aimed at enhancing the socio-economic, environmental, and cultural landscape of the OMP. This vision is built upon a commitment to sustainable development, community engagement, and the preservation of heritage resources. In section 7.2.1, Main Heritage Resources at OMP, we will explore the significant historical and cultural assets

that contribute to the identity of the village. Following that, section 7.2.2 will delve into the broader vision for OMP, highlighting strategic initiatives designed to foster inclusive growth and resilience in the face of contemporary challenges.

7.2.1 Main Heritage Resources at OMP

The OMP encompasses several significant heritage resources that collectively reflect its historical, architectural, and cultural importance. These resources can be categorised into tangible and intangible heritage, highlighting the living heritage of the community.

a. Tangible Heritage Resources

1. **Homestead Complex:** The Oude Molen homestead, also known as Miller's House, is the oldest structure in the precinct and serves as a focal point for its historical narrative.
2. **F-Shaped Wards and Dining Room:** These buildings represent the institutional history of the site, showcasing various phases of its use over time, particularly in relation to healthcare.
3. **Swimming Pool:** This recreational facility contributes to community use and enhances the social fabric of the village. The Swimming Pool at OMP is notably underrepresented in the draft HIA) yet it plays a crucial role in connecting OMEVTA with the Maitland Garden Village community. Managed by the OMEVTA and operated independently by members of Maitland Garden Village, the pool provides essential jobs and training opportunities, highlighting the eco-village's significant ties to its surrounding community. This relationship underscores the importance of community integration and support in any future development plans for the area.
4. **Cultural and Indigenous Gardens:** The precinct includes a Cultural Garden and an Indigenous Food Garden, which enrich its social and educational value.
5. **Architectural Features:** Several buildings older than 60 years are integral to the area's heritage. Advocacy for their restoration rather than demolition emphasises their architectural and aesthetic significance, as these structures contribute to the community's identity.
6. **Natural Heritage:** The location along the Black River floodplain enhances the natural heritage significance of the precinct, providing a setting that complements its historical context.
7. **Burial Sites:** Areas where individuals associated with significant historical events are interred add depth to the site's narrative.
8. **Archaeological Significance:** The area holds layers of archaeological significance linked to its historical uses, including pre-colonial and colonial periods as well as its role in mental health treatment history in South Africa.
9. **Liberation Routes:** Pathways within the precinct hold historical importance related to the struggle for freedom and social justice in South Africa.

b. Intangible Heritage Resources

1. **Resistance Heritage:** The site includes a historical furnace where individuals who resisted slavery were burned, highlighting its colonial history and significance in the struggle against oppression.
2. **Living Heritage:** The eco-village is a vibrant community hub that fosters social cohesion through various programmes focused on sustainability, urban farming, and local economic development. This living heritage aspect is crucial for preserving community identity and promoting intergenerational knowledge sharing.
3. **Heritage Grading Process:** The systematic approach to assessing and classifying heritage resources ensures their protection and integration into planning processes, highlighting their ongoing relevance in contemporary society.

The combination of these tangible and intangible heritage resources at OMEV underscores its importance as a site of historical significance while also serving as a living testament to community resilience and cultural continuity. As development pressures increase, preserving these resources becomes essential not only for maintaining the area's unique character but also for honouring the rich history that shapes its present and future.

Some OMEVTA members will also submit their individual responses separately to the draft HIA.

7.2.2 OMEVTA's Vision for the Future

The following extract is from OMEVTA's April 2024 Statement of tenants' position and is one of a few proposals on the OMP:

A Brief Example of an Alternate Conceptual Vision

As tenants, we believe that Oude Molen Village should become the first eco-village on public land in the world and it should attract architects, academics, engineers, tourists and students from around the world due to its innovativeness, industry and unique location.

The Eco Village, as envisaged, should become the main public gateway and caretaker hub for Cape Town's green lung, i.e. The Two Rivers Urban Park.

The Eco-village should become an academic and practical leader in fields such as:

1. Recycling - in urban and agricultural environments.

2. Water - in terms of capture, harvesting, control, use, waste and riverine ecology.
3. Animal husbandry - such as horses, livestock, poultry and existing wildlife in immediate surrounds.
4. Food security - including urban agriculture, micro farming, biodynamic farming, permaculture and regenerative techniques.
5. Eco architecture - in terms of materials, design, and implementation.
6. Alternative energy - including solar, wind, hydro and biofuel.
7. Transport – pedal, rail and combustion engine solutions to minimise traffic congestion.
8. Heritage - should be enhanced, not minimised.

Recommendations - In light of above we would recommend that:

- a. The property should remain public property.
- b. Rezoning applications should consider this land and infrastructure to be a public asset and not a site for large-scale, high-density development.
- c. The redevelopment should not be commercial in any way.
- d. An elected board of independent experts and administrators in relevant fields should be given the opportunity to guide this special project.

From the aforementioned, it can be seen that OMEVTA envisions a sustainable and inclusive future for the OMEV, aiming to create a vibrant community that balances economic, social, and environmental interests. Here are the key components of this vision:

7.2.2.1 Vision Overview

OMEVTA's vision is to enhance the OM property into a micro-enterprise eco-village that serves as a social enterprise, benefiting local communities and acting as a catalyst for socio-economic, environmental, and educational development. This initiative aims to replicate successful models elsewhere while ensuring financial sustainability for all stakeholders involved.

a. Key Objectives

Sustainable Development: Preserve the unique ecological and recreational potential of the area while promoting sustainable practices, such as renewable energy use and water conservation technologies.

Affordable Opportunities: Provide affordable rental rates for micro-enterprises, non-profit organisations, and educational institutions to foster economic activity and job creation.

Community Engagement: Create spaces for urban agriculture, communal gardens, and craft markets to enhance community interaction and support informal employment.

Social Facilities: Develop social and recreational amenities, including parks, playgrounds, and cultural event spaces to promote community well-being.

Inclusivity: Ensure that the eco-village is accessible to all cultural and economic groups, fostering social cohesion and interaction among diverse communities.

b. Strategic Goals

Catalyst for Change: Position OM as a flagship project that demonstrates effective social enterprise management models addressing socio-economic challenges.

Job Creation: Generate significant employment opportunities through partnerships with local enterprises, aiming to train unemployed youth through job shadowing programs.

Cultural Integration: Complement existing urban regeneration initiatives by enhancing the area's cultural landscape and public spaces, making it a sought-after destination for both local residents and tourists.

c. Future Development Plans - OMEVTA's development proposal includes:

A mixed-use environment that balances residential needs with commercial viability while maintaining open public spaces OMEVTA advocates for the Scenario C: Preserved Park Vision that scored over 80% with stakeholders participating in the consultation processes – to be considered. Scenario C recognises the need to preserve and to some extent renovate a possible revitalised edge on Alexandra Road with a much smaller footprint of 2 storeys with heritage open space and quality open vistas of the west including the green space on either side of ring road be enhanced. A commitment to sustainability that integrates green technologies into the village's infrastructure. Collaboration with government initiatives to ensure alignment with broader city regeneration goals, enhancing overall community resilience.

8 More specific responses to the draft HIA and associated Reports

8.1.1 Timeframe constraints

OMEVTA highlights that tight timeframes pose a significant obstacle to thoroughly addressing the draft HIA, noting that the extended six-week deadline is inadequate for comprehensively reviewing the 870 pages of base documents as well as other related materials. Additionally, the absence of crucial documents, such as previous HIAs, amendments of source documents

[Annexure B1: Historical Background Source: B O'Donoghue 2022 (as edited and amended: 1)] feedback from the PPP, and the tender document, further complicates the situation. This lack of essential information hampers the ability to provide a rigorous response to the draft HIAs findings and recommendations.

8.1.2 Non-availability of critical documents

OMEVTA notes that the contributions of the Project Team are outlined on pages 13 and 14 of the draft HIA, including that of Amanda Younge Hayes, that incorporated public engagement previously undertaken by Chand Environmental Consultants. However, it is concerning that this PPP report, along with others listed, does not appear on the WCG OMP's website. OMEVTA formally requests access to all reports mentioned in the current draft HIA that are not available on the website, as well as all other previous documents related to the OMP development proposals, including the Bridget O'Donoghue Baseline Report of 2022. This access is critical for OMEVTA to prepare a comprehensive and detailed response, yet their efforts are hindered by what appears to be either a wilful or negligent omission of these essential reports.

8.1.3 Lack of access to tender documents

The tender documents awarded to Nigel Burls and Associates are not available either on the WCG OMP website, nor via the applicable tender portals. Engaging the tender officials listed on the portal site (Nawaal) also did not produce any tender document. As a consequence, the start date, contract duration and tender amount could not be confirmed. OMEVTA seeks access to the aforementioned tender document; in tandem OMEVTA wishes to establish what the current status of the awarded tender is and importantly who will process and provide feedback on the current phase of PPP and written input from OEVTA and other stakeholders.

8.1.4 Premise of Reports – Bias towards pre-determined planning outcomes: Contradiction between stated Vision and Recommendations

The WCG is currently advancing plans for the OMP with a brief centred on high-density development. This predetermined agenda raises significant concerns about the integrity of the consultation process, as it suggests that the outcomes have already been decided in favour of large-scale, mixed-use development including commercial and retail space. Consequently, reports and assessments commissioned by the WCG are reflecting this bias - this objective - of sidelining alternative perspectives and community needs. In the words of many of the stakeholders and tenants: "The HIA and associated assessments are retrofitted to align with large-scale, high-density development making objections or comments meaningless."

As such, stakeholders and tenants posit that the premise and scope of the HIA - and all other related reports - are fundamentally flawed given that it is responding to a predetermined brief from the WCG for "high-density, large-scale development."

As such, the brief from the WCG to the group of consultants emphasises predetermined outcomes severely restricting the opportunity for a fundamentally different approach if the focus were shifted to public space, an eco-village within TRUP.

Furthermore, this bias favouring large-scale development is reminiscent of the River Club, now Riverlands project. This bias manifests in the confined allocation of heritage significance to a limited area, which undermines the broader socio-historical context and diverse narratives, including living heritage within the community. Despite acknowledging First Nations rights, cultural, historical and environmental heritage significance, the socio-historical assessment paradoxically concludes in favour of a River Club development model that reduces cultural heritage to secondary mitigating, roles, such as media centres, amphitheatres - rather than integrating it into meaningful community eco-friendly spaces that enhances this green lung so close to the CBD.

Moreover, the consultation process appears to be conducted in bad faith, prioritising compliance over genuine engagement with local voices. This lack of transparency and inadequate public participation diminishes the richness of local heritage, focusing narrowly on built structures while neglecting intangible aspects like community identity and living heritage and oral histories. Ultimately, without addressing these biases, heritage risks being **mitigated** in favour of commercial interests, failing to reflect the true values and needs of the community. In other words, this narrow definition of heritage tends to define it primarily in terms of built structures or archaeological findings, neglecting intangible cultural aspects such as community identity, oral histories, and ongoing living traditions. This limited perspective can diminish the richness of local heritage, especially living heritage of the eco-village and its relevance to current community dynamics.

Furthermore, the River Club, now referred to as Riverlands, has come under scrutiny for its development model, which is perceived to reflect cultural mitigation strategies that ultimately confine heritage to a limited space. OMEVTA argues that the outcomes of this model, such as the proposed media centre and amphitheatre, primarily serve narrow commercial interests rather than genuinely preserving the cultural and historical significance of the area. This sentiment echoes concerns raised by community members regarding the potential impacts of high-density developments on local heritage and environmental integrity.

The ongoing debate surrounding the River Club development parallels fears expressed by OMEVTA regarding similar high-density projects in their area. Community advocates argue that such developments threaten to overshadow existing eco-principles and disrupt local ecosystems, leading to a loss of biodiversity and cultural heritage. The emphasis on commercial viability over community needs raises questions about the long-term sustainability of these projects and their alignment with public interests. As stakeholders seek clarity on development plans, there is a growing call for inclusive approaches that prioritise heritage preservation and environmental integrity over profit-driven motives.

Reimagining the brief - If the brief were to shift towards envisioning OMP as a public space – within the TRUP as identified by OMEVTA and other stakeholders, the resultant HIA and overall planning outcomes would be fundamentally different. Here are key areas where this transformation would manifest:

8.1.4.1 Community Engagement via the PPP

A focus on the OMP as a public space would prioritise meaningful community involvement, allowing local stakeholders to actively participate in shaping how the precinct is utilised. This contrasts sharply with a development-focused approach that overlooks public input.

8.1.4.2 Cultural and Historical Significance

Recognising the OMP as part of TRUP and respecting the heritage processes associated with the National and Provincial heritage grading processes would necessitate a thorough evaluation of its cultural and historical value, ensuring that heritage considerations are central to planning decisions rather than treated as secondary to development goals.

8.1.5 Importance of Preservation

Preserving areas like the OMP is crucial for several reasons:

- *Biodiversity Conservation: Protecting habitats that support endangered species like the Western Leopard Toad contributes to overall biodiversity and ecosystem health.*
- *Cultural and Historical Significance: These green spaces serve as historical memory sites, reflecting the region's natural heritage and cultural identity.*
- *Urban Green Lung: Maintaining such areas provides essential ecological services, including air purification, temperature regulation, and recreational spaces for residents.*

8.1.5.1 Environmental Sustainability over Mixed-use Rezoning

A public space, eco-village approach would rigorously assess ecological impacts, prioritising biodiversity conservation and environmental sustainability over economic growth. This approach would help protect sensitive ecosystems within the park.

The Western Leopard Toad (*Sclerophrys pantherina*), listed as Endangered on the IUCN Red List, has been identified in the OMP, highlighting the need for conservation efforts in urban areas.

(<https://www.capenature.co.za/fauna-and-flora/western-leopard-toad>;

https://en.wikipedia.org/wiki/Western_leopard_toad) This species is endemic to the low-lying regions of the Western Cape, South Africa, particularly around the Cape Peninsula and Cape Flats, where it relies on specific habitats like wetlands and gardens for breeding and foraging with sightings recorded in the OMP.



Figure 3: Environmental Sustainability: Source: https://en.wikipedia.org/wiki/Western_leopard_toad

8.1.5.2 Threats to the Western Leopard Toad

The primary threats to the Western Leopard Toad include:

- *Habitat Loss: Urban development has led to significant habitat degradation and fragmentation, which restricts movement and reduces breeding opportunities.*
- *Road Mortality: As toads migrate to breeding sites, they often encounter roads, resulting in high mortality rates from vehicle collisions. Conservationists have initiated projects to create underpasses to facilitate safe crossings.*
- *Pollution and Invasive Species: The introduction of non-native species and pollutants can degrade breeding habitats, further threatening the survival of local populations.*

Safeguarding the OMP not only supports the survival of the Western Leopard Toad but also enriches urban life by preserving green spaces that embody historical and ecological significance.

8.1.6 Living Heritage

According to OMEVTA and stakeholders - the concept of living heritage is significant in the context of the HIA for Oude Molen, as it emphasises the ongoing cultural practices, community connections, and historical narratives that shape the identity of the area. Stakeholders have highlighted this concept to stress the importance of recognising not just the physical remnants of heritage but also the living traditions and social dynamics that continue to evolve within the community. OMEVTA observes that the draft HIA largely overlooks significant aspects of heritage, particularly those related to equestrian culture, mental health, education, and youth development. This silence on such important elements raises concerns about the comprehensiveness of the assessment and its ability to fully capture the diverse heritage values present in the community. By neglecting these critical areas, the draft HIA also fails to acknowledge the role that horses and related activities play in local culture and community engagement, as well as their potential

contributions to educational initiatives and youth development programmes. This omission highlights a need for a more inclusive approach that recognises and integrates all facets of heritage into the assessment process.

Significance of Living Heritage in the HIA Context

- **Cultural Continuity:** Living heritage reflects the ongoing relationship between people and their environment. In Oude Molen, this includes traditional practices, community events, and social interactions that are vital to maintaining cultural identity. The HIA must consider how proposed developments could disrupt these living traditions, which are integral to the community's sense of belonging.
- **Community Engagement:** The emphasis on living heritage underscores the need for genuine community participation in decision-making processes. Stakeholders have expressed concerns that current public participation efforts are inadequate, often failing to incorporate the voices and experiences of residents. This disconnect can lead to decisions that do not align with the community's values or needs.
- **Historical Context:** OM has a rich historical background, having evolved from a site of indigenous significance to a modern eco-village. The living heritage concept encourages an understanding of this history as a dynamic process rather than a static narrative. It calls for an acknowledgment of how past injustices and social divides continue to influence present-day realities.
- **Socio-Economic Impact:** OMEVTA argues that recognising living heritage can foster socio-economic benefits for all residents, not just developers. By integrating community needs into development plans, projects can enhance local livelihoods while preserving cultural heritage. This approach aligns with broader goals of social equity and environmental sustainability.
- **Transformative Potential:** The redevelopment of OM presents an opportunity to heal societal divides by honouring its indigenous heritage and promoting inclusive development. OMEVTA insists that any HIA should reflect this potential by prioritising projects that benefit future generations and preserve living heritage.

The concept and practise of living heritage is therefore crucial for understanding the significance of OM in the context of its HIA. It emphasises cultural continuity, community engagement, historical context, socio-economic impact, and transformative potential. Community members advocate for an HIA that genuinely reflects these values, ensuring that development enhances rather than undermines the rich tapestry of life in OM.

8.1.7 Social Inclusion and Well-being:

Emphasising public space would shift the focus toward enhancing community well-being and social justice, examining how proposed changes affect residents, particularly marginalised groups and current tenants.

8.1.8 Heritage Protection Compliance

A revised brief would ensure adherence to heritage protection laws while advocating for higher standards of conservation, potentially elevating TRUP's status as a National Heritage Site.

Reframing the development brief for the OMP to prioritise its role as a public space within TRUP will lead to more inclusive, sustainable, and community-oriented outcomes. This shift would not only honour the area's rich heritage but also foster a sense of ownership and pride among residents and tenants, ultimately benefiting all stakeholders involved.

8.2 Heritage Impact Assessment Reports

OMEVTA questions how one can reconcile the concepts of a sustainable eco-village and mixed-use developments within the same framework - as the brief to consultants indicates that the site has been identified for mixed-use intensification, aiming to create "a safe, walkable and sustainable eco-neighbourhood" with compact developments that integrate education, affordable housing, public facilities, and open spaces. However, OMEVTA is concerned that the draft HIA primarily responds to the WCG's brief without incorporating input from previous public participation processes or feedback from stakeholders, including OMEVTA.

8.2.1 Development Proposal Package for Heritage Assessment – Nigel Burls and Associates 10 July 2024

8.2.1.1 EIA

Nigel Burls (Item 6.1.5 - Burls: 37) – the lead consultants - has indicated that an EIA was deemed unnecessary because the social housing component is designated for an area adjacent to the Pinelands Station, not within the OMP itself. However, OMEVTA is seeking further clarification on this matter, particularly regarding the apparent contradiction with the draft HIA 2024, which includes the 34% social housing aspect as part of the OMP. This clarity is critical to understand if there is any intent to mislead OMEVTA and the community regarding the allocation and integration of social housing initiatives.

OMEVTA expresses strong opposition to the redevelopment proposal for the OMP as outlined by Burls. While the package acknowledges valuable input from community and tenant stakeholders, its implementation primarily follows the brief from the client, the WCG. This raises concerns about the extent to which community feedback is genuinely integrated into the planning process. OMEVTA seeks assurance that local needs and perspectives will be prioritised in OMP's future.

8.2.1.2 Contradictions in Sustainable Development Approaches

i. Contributions from Stakeholders vs Cultural Allocation

The proposal recognises contributions from various stakeholders, including:

Gateway to TRUP: The development should serve as a gateway to TRUP, enhancing connectivity and access.

Rural and Eco-Friendly Design: The design should aim to maintain a rural character while promoting eco-friendly practices.

Inclusive Housing: A focus on inclusionary housing should ensure diverse community representation.

Urban Agriculture: The proposal should promote urban agriculture initiatives to enhance local food production.

ECO Park: An ECO Park should be included to further enhance green space and biodiversity.

Inclusion of Existing Tenants: The redevelopment vision should include existing tenants in planning discussions and feedback ensuring their needs are considered and actively integrated into future proposals.

Educational Facilities: Affordable educational facilities should continue to be included to support community learning.

Artisan Flavour: The precinct should feature elements that celebrate local artisanship.

First Nation Representatives: Their cultural heritage and historical connection to the land must be honoured.

Tenants: Insights from current residents about their needs and aspirations need to be actively provided for.

Heritage and Conservation Bodies: Emphasis on preserving the ecological and cultural significance of the area including a commitment to preserving indigenous biodiversity within the precinct.

Civic Organisations: Input from local groups advocating for community interests need to be entertained.

Ward Councillor: Engagement with local governance to ensure community representation.

Despite this acknowledgment, the proposal allocates only 788 m² informed by community input out of a total site area of 14,62 hectares, which is significantly low compared to the overall size of the precinct. This minimal allocation is seen as tokenism, a River Club model failing to reflect the depth of community input and the importance of cultural heritage.

ii. WCG pre-determined outcomes

OMEVTA is furthermore deeply concerned about the implications of the feedback from WCG departments (Burls: 81), which identifies "current tenant entitlement" as a challenge that could lead to delays in the redevelopment process. Burls (Burls: 73) also indicates plans for establishing a Master Property Owners Association (MPOA) for private development at the OMP. This proposal aims to create a structured governance framework for managing the precinct and ensuring that

the interests of future property owners are represented. OMEVTA is concerned that predetermined agendas are reflected here.

iii. Scenarios vs Vision Statement: Three Planning Alternatives

Burls: 127

Scenario 1 – Productive Farm Village: Limited development footprint / envelope

Scenario 2 – Compact Integrated Neighbourhood: Mixed use residentially led / balance environmental, heritage and spatial transformation

Scenario 3 – Green Corporate Campus: Pushing the envelope / ultimate GLA usage using full extent of MPBL possibilities

Page 127 also provides an aerial view of the proposed land areas for infill development based on the different scenarios. Importantly only 20% is allocated for open space in Scenario 3.

The Draft HIA explores these three (3) planning options but ultimately proposes a fourth (4th) “comprehensive” alternative. Paradoxically, this fourth (4th) alternative is retrofitted to meet the WCG’s brief of mixed-use densification rather than the framework of an eco-village as a gateway to TRUP that foregrounds educational facilities, urban agriculture & food gardening, mental health and the inclusion of existing tenants.

8.2.1.3 Demolished vs Retained Buildings

Bridget O'Donoghue argues that buildings older than 60 years should be rehabilitated rather than demolished, advocating for a retention and adaptive reuse policy within the eco-village context. In contrast, the current draft HIA proposes the demolition of such buildings to make way for high-rise developments reaching five stories. Ravenscroft supports the idea of retaining these older structures, emphasising their potential for rehabilitation instead of outright demolition. This stark difference in approach raises significant questions about the preservation of heritage and the prioritisation of community values over developmental pressures.

8.2.1.4 Allocation of 30 days for Public Input

Concerns have been raised regarding the allocation of only 30 days for public input, extended by 2 weeks following concerns raised at the Open House held on 10 September 2024.

8.2.1.5 Language signifying bias for predetermined outcome

Furthermore, the language used in these impact assessments are instructive as it suggests a predetermined agenda aligned with WCG's brief for large-scale development, particularly with

phrases like "once the draft HIA is approved," indicating that decisions may already be made, casting doubt on the validity of public participation phases.

8.2.1.6 Socio-Economic Impact Assessment and Financial Feasibility Considerations

This is curiously empty. (Burls: 138)

OMEVTA acknowledges the various scenarios presented in the Burls document. Scenario 1 resonates closely with OMEVTA's input and community values, emphasising sustainable development and community integration. However, the HIA predominantly focuses on a "Alternative 4", which aligns with the WCG's brief for a mixed-use, high-density, large-scale development. The prioritisation of 'Alternative 4' reflects a governmental inclination towards maximising density and commercial viability, at the expense of community needs and ecological considerations. If the WCG's brief were to emphasise a balanced approach, as advocated by stakeholders and other OMEVTA members, it could lead to a more equitable development that integrates community aspirations with sustainable practices.

From the above, OMEVTA infers that the WCG has seemingly predetermined the outcome of the redevelopment, treating it as a *fait accompli*. Leading to concerns about community displacement of existing residents and business - as it appears that tenant rights are being sidelined in favour of expedited development. The framing of tenant entitlements as obstacles indicates a lack of genuine engagement with the community.

8.2.1.7 Historical Background Source: B O'Donoghue 2022 (as edited and amended)

OMEVTA seeks clarity regarding Annexure B1: Historical Background, attributed to B. O'Donoghue (2022), as it lacks a definitive author and appears to be a revised version of an original source document. This raises concerns about the document's authenticity and the rationale behind its amendments. OMEVTA questions who made these changes and why, particularly since the absence of a clear authorship of amendments could undermine the credibility of the information presented. But most importantly, OMEVTA is really interested to know the detail of the amendments and accurate references to these amendments including page numbers.

The ambiguity surrounding this report is troubling, especially given the significant implications it may have for community interests and historical accuracy. If this document is indeed a modified version of an original, it is crucial to understand the motivations for these amendments and whether they reflect a genuine effort to enhance the report or if they serve other interests. OMEVTA emphasises that transparency in the amendment process is essential to maintain trust and ensure that all stakeholders are adequately informed about any alterations that could affect their community and heritage.

This amended report identifies that OMP includes portions of land that are historically significant, specifically it includes "remnants of early psychiatric care facilities and is linked to the history of

segregation in South Africa. It has been recognised for its architectural and social importance, particularly as it relates to marginalised communities during the apartheid era.”

8.2.2 Heritage Impact Assessment Report – Cindy Postlethwaite

8.2.2.1 Overview / Absence of previous Impact Assessments

OMEVTA is seeking clarity as to what happened to previous HIAs and why they are not referenced in the current draft HIA. OMEVTA requests access to all previous reports and reasons why the findings and recommendations contained in the previous reports are excluded from current reports. OMEVTA is also requesting access to documents specifically the 2022 Bridget O’Donoghue Baseline Study and the Tender Document. This will enhance transparency and resource stakeholders to respond from an informed perspective.

8.2.2.2 Mandate

Page 2 of the report reads: “Comments relating to planning matters... concerns about traffic, noise, privacy, use... are to be made in the subsequent planning process.” As such, the HIA restricts stakeholder feedback to heritage-related matters, explicitly excluding development concerns. However, participants from the OM community argue that this “mandate” is misleading, as the 10 September 2024 PPP meeting presented minimal heritage content and focused heavily on planning issues. This lack of substantive heritage discussion – and focus on planning issues (Solomons) raises questions about the sincerity of restricting comments solely to heritage. It underscores the need for a more integrated dialogue that genuinely addresses both heritage and development implications, ensuring that all relevant concerns are adequately represented in the assessment process.

Furthermore, the nature of responding to a preconceived brief from the WCG means that the recommendations lack a bottom-up engagement process. Instead, they reflect a top-down imposition of development that does not align with the community's values or aspirations. This disconnect raises concerns about the legitimacy of the proposed plans and their ability to genuinely serve the needs and interests of local residents.

8.2.2.3 Cindy Postlethwaite’s 2024 Recommendations

OMEVTA provides a critical response to the draft HIA, particularly addressing the recommendations and highlighting several significant concerns (Postlethwaite 2024, Draft HIA: 6–7 & elsewhere):

Timeline for Impact Assessments: The preparation of the Impact Assessments required extensive time and resources, yet community members and OMEVTA were expected to review and respond to at least 870 pages of specialist documents within a mere six weeks—initially just four weeks—without access to consultants or WCG employees. This timeline imposed an undue

burden on under-resourced stakeholders, who often juggle their livelihoods and other commitments, making meaningful participation arduous under these conditions. In contrast, government-appointed consultants operate with generous budgets (unverified due to lack of access to tender documents) amounting to R11.67 million over a 12-month period from 1 October 2023 till 30 September 2024.

Lack of Access to Tender and other Documents: There is insufficient access to tender documents needed to fully understand the process. Critical documents regarding OMP processes are absent from the website, including any from Amanda Younge that detail the PPP and the assessment framework used for stakeholder input. Additionally, previous processes and documents are notably missing; for example, Bridget O'Donoghue's 2022 HIA and Amanda Younge's are currently unavailable, and access is being pursued via PAIA. However, OMEVTA's view is that these documents should be readily available on the WCG OMP website portal along with other documents.

Vision for the Future: The Scenario C – Preserved Park Vision: The draft HIA adds a fourth alternative to the 3 scenarios for development identified in Burls. But this fourth alternative has not been part of any meaningful PPP and 10 September 2024 is the first time that stakeholders have seen this proposal. OMEVTA members argues that a once-off informational meeting does not constitute public participation. Instead OMEVTA wants the **Scenario C: Preserved Park Vision** that scored over 80% with stakeholders participating in the consultation processes – to be considered. Scenario C recognises the need to preserve and to some extent renovate a possible revitalised edge on Alexandra with a much smaller footprint of 2 storeys with heritage open space and quality open vistas of the west including the green space on either side of ring road be enhanced (Turok).

Utility Zoning Concerns: The Utility Zoning established in 2015 occurred without input from community stakeholders. OMEVTA views this as a deliberate attempt by the WCG to facilitate rezoning for mixed-use developments. Clarity is sought regarding when this Utility Zoning was implemented and whether it is compliant with the policy and legislative frameworks. OMEVTA also questions whether this was a strategic move to bypass an EIA for the OMP.

Contradictions in Vision and Recommendations: OMEVTA points out a contradiction between the stated vision for an eco-village focused on sustainability and community well-being and the reality of proposed dense construction aimed at profit, which leads to gentrification. The draft HIA's Executive Summary states: "The current vision statement for OMP...remains applicable: 'A safe, walkable and sustainable eco-neighbourhood...'" OMEVTA questions the validity of "an initial public engagement" referenced in this statement and argues that the HIA retrofits their vision into a River Club Model, relying on mitigation measures to reduce heritage considerations to a confined area filled with media centres and amphitheatres surrounded by concrete.

Economic Potential vs. Community Benefit: The draft HIA claims that "the redevelopment of Oude Molen presents a transformative opportunity..." However, OMEVTA questions who will truly

benefit from these socio-economic advantages. The community and tenants or the avarice of developers and the WCG? Clarification is needed regarding the location of the proposed social housing component—whether it is intended for the OMP or situated adjacent to Pinelands station as identified by Burls. OMEVTA is also interested to know why the Burls document does not contain any economic input in its development document.

Perception of Development as Inevitable: The language used in the HIA suggests that development is a foregone conclusion, as seen in statements like “This initial application, once approved...” This indicates a top-down planning process rather than one that engages communities from the ground up.

TRUP Significance of the OMP: The OMP holds considerable importance within the TRUP and Liberation Routes and is significant from a First Nations perspective due to historical events associated with it. OMEVTA emphasises the need for sensitive and respectful treatment of this site in meaningful consultation with stakeholders.

Premature Development Proposal – Heritage Grading nomination process: OMEVTA argues that the development proposal is premature as heritage grading at both National (Grade I) and Provincial (Grade II) levels is still underway. A thorough understanding of the site’s historical, cultural and environmental significance is essential before making any development decisions.

Misrepresentations of the draft HIA - The draft HIA is misrepresenting the status of the grading process (Draft HIA: 2024 - 74) as SAHRA is currently busy with a process to consider grading the entire site as Grade 1 and has not rejected the application for grading but are actively in the process of assessment. Case 16907 referred to in the draft HIA does not relate to the TRUP but to an application for Provisional Protection of the River Club site, an area also located in the TRUP but distinct from Oude Molen. It was HWC itself that responded to a nomination of the TRUP as a Provincial Heritage Site by concluding there was sufficient evidence for Grade I status to warrant referral to SAHRA in July 2021. SAHRA are still busy with assessment. This is an indictment on the quality of information contained in the draft HIA. (London)

Compromised Public Participation: The public participation process has been criticised as compromised, ignoring previous community input and failing to adhere to frameworks that ensure meaningful engagement as outlined in PAJA and the Public Participation guidelines of the public service Commission. Legal precedents have established that genuine engagement is necessary rather than superficial processes driven by narrow government goals.

Furthermore Item 3 of the draft HIA Executive Summary states that: “The current vision statement for OMP, which was derived largely following an initial public engagement process remains applicable: “A safe, walkable and sustainable eco neighbourhood, with compact mixed-use developments, integrating education, affordable housing, public facilities and open spaces, while providing equitable access to cultural heritage and natural reserves.”. OMEVTA firstly questions reference to “an initial public engagement” and secondly OMEVTA argues that the HIAs cynically

retrofits the OMEVTA vision into a River Club Model where heritage is mitigated into a boxed area of media centres and amphitheatres.

Contested Clauses 18.2 and 18.3 of the Draft HIA

Section 18 of the draft HIA addresses the PPP but is positioned as the final section, added as an afterthought with minimal content just before the recommendations. If public participation were genuinely integral to the process, it would be more prominently featured in the report. Instead, the PPP HIA is merely referenced as Annexure J2, which is conspicuously unavailable on the WCG OMP website portal. This lack of accessibility undermines the transparency and effectiveness of public engagement in the assessment process. Additionally, Item 18.2 references the Baseline Social Impact Study without including it as an Annexure, raising further questions. Item 18.3 also relegates the HIA Statutory Public Participation report to being referenced as Annexure J2, which is similarly unavailable. The relegation of these critical components to the end of the draft HIA and their lack of accessibility further erodes trust in the public participation process.

NID – Notice of Intent to Develop: A notice of Intent to Develop was issued by the WCG to HWC which in turn triggered the HIA processes. OMEVTA seeks clarity on the exact date. In any event, this was long before the Open House Meeting of 10 September 2024 which was the first time OMEVTA and other community stakeholders saw the 870-page proposals or representations thereof. OMEVTA is saying that if an NID is triggered it means a specific development is already considered. Surely the WCG would engage with communities first and reach agreement or consensus about the type of development before issuing an NID? The Lead Consultant was also awarded the tender on 1 October 2023 valid for a 12-month period (this needs to be verified through access to the document) which means that the WCG already knew back in October 2023 (and prior because the tender process can be long and circuitous) that it was going to develop the OMP. This is bad faith consultation.

Insufficient Heritage Preservation: The HIA does not adequately address how proposed changes might impact heritage resources both tangible and intangible heritage. OMEVTA notes with alarm the absence of any substantive reference to the living heritage of equine therapy and mental health. OMEVTA calls for a more comprehensive evaluation that includes indigenous narratives and historical context.

Economic Model Concerns: Concerns arise regarding the methodology used in the economic model, which appears skewed against qualitative stakeholder inputs. There is also a lack of assessment regarding eco-village potential or eco-tourism impacts similar to those seen in Kirstenbosch, along with potential adverse effects on existing businesses providing essential services such as equine-led therapy, education, youth development, composting and farming skills.

VIA and Tree Canopy Assessment Issues: The integrity of the information presented in the draft HIA and VIA is called into question due to the significant undercounts of trees (Meiring interview). This underreporting undermines claims regarding the neutral visual impacts asserted in the VIA.

Furthermore, the VIA's conclusions heavily depend on the accuracy of information provided in the other HIAs; therefore, any weaknesses or omissions in those source documents compromise the reliability of the visual projections.

Recognition of Successful Eco-Villages: During its Design Capital phase, Oude Molen received recognition as a successful eco-village model that could serve as a sustainable green lung—a priority that should be emphasised by government planning efforts.

Broad coalition with the WCG: In light of the recent endorsement of the draft Western Cape Infrastructure Framework 2050 (WCIF 2050) on 16 October 2024, which aims to align with the national agenda to enhance the quality of life for the most vulnerable residents of the Western Cape and address historical spatial injustices, OMEVTA situates the OMP within a broader context of contested developments. This includes the recent private sale of 44 properties in Constantia, the ongoing issues at Botmaskop, and various contentious projects in the Philippi Horticultural Area, Rondebosch East, and Harrington Street parking lot. OMEVTA calls for the formation of a broad coalition to address these seemingly disparate development processes in a respectful manner that allows community voices to meaningfully influence decision-making and promote spatial justice.

OMEVTA urges for a more inclusive, transparent approach to development planning that respects both heritage and community needs while fostering environmental sustainability. The association advocates for a pause on development processes until thorough consultations and assessments are completed, ensuring that all stakeholders are genuinely involved in shaping the future of the OMP.

8.2.2.4 Comparison between 2022 Bridget O'Donoghue's and 2024 Cindy Postlethwaite

The 2024 HIA has faced criticism from OMEVTA, particularly regarding its handling of heritage indicators compared to Bridget O'Donoghue's 2022 Report. This has to be analysed more rigorously once the 2022 HIA becomes available on the WCG OMP website portal.

Access to the 2022 O'Donoghue IA is essential for providing a comparison to the 2024 draft HIA regarding which heritage indicators have been addressed. Furthermore, clarity is needed on why *Annexure B1: Historical Background, sourced from B. O'Donoghue 2022 (as edited and amended)*, is presented to stakeholders in an amended format without clear indications of authorship for the amendments or the specific sections that have been changed. This transparency is crucial for stakeholders to fully understand the modifications and their implications.

8.2.2.5 Response to HIA Report

The draft HIA is viewed critically by OMEVTA, who argues that it fails to genuinely incorporate eco-principles and cultural respect into its proposals. Instead, they see it as a framework that

prioritises development over community needs, risking both environmental integrity and social cohesion that will impact future generations.

OMEVTA argues that the proposed development undermines the very principles of sustainability and cultural heritage it purports to support. Here's a critical summary reflecting their viewpoint:

Key Concerns Raised by OMEVTA – (Most of these have already been stated earlier in this document and are repeated for emphasis)

How does the draft HIA justify on page 120 that “more intensive development of the site is considered acceptable” with legitimate community needs and how does this not prioritise commercial interests. The draft HIA continues: “ The property is currently underutilised and the current uses and income not sustainable for the WCG.” OMEVTA and the community members argues that the WCG is mere custodians of the site and it is currently being fully utilized.

Leases - Page 121 of the draft HIA is instructive for current tenants. To wit: “ This stage of the enablement process also does not designate tenancies so whilst the cultural/indigenous food garden could continue some of the current allotment gardening, the ultimate user can only be determined further in the development process.” This is interpreted as an ominous sign of veiled eviction threats for OMEVTA.

Omissions - Reference to previous HIAs are ignored.

Misalignment - Threat to Eco Village Activities: The tenants association contends that the redevelopment plans prioritise retail, office, and residential uses over the existing eco-village activities, which include urban gardening, social enterprises, and educational programmes. This shift is seen as a direct threat to the community's vibrant ecosystem and its long-standing initiatives that promote sustainability and local engagement.

Gentrification Risks: There is a strong belief among tenants that the proposed high-density development will lead to gentrification, effectively displacing small businesses and altering the character of the eco-village. Faez Evans, co-chair of OMEVTA, expressed concerns that such developments would transform the area into a commercial hub at the expense of its unique community atmosphere.

Lack of Consultation: The draft HIA makes reference to the PPP as the very last item (HIA: 150) indicative of the value of these inputs. It does not reflect any framework for assessing the referenced community inputs, no written feedback to communities as to why their inputs were ignored to pursue the WCG's brief and was “accommodated” within the current proposals. Notwithstanding, many tenants feel that a workshop in 2021 and an information sharing session on 10 June constitute PPP. This perspective is echoed by community leaders who emphasise the need for meaningful public participation in decision-making processes that affect their livelihoods and community fabric.

Environmental Impact: The proposed development is seen as detrimental to local biodiversity and green corridors, which are crucial for wildlife preservation. The eco-village is recognised as an

urban oasis, and any increase in the concrete footprint (at expense of agricultural land) could disrupt habitats and diminish the area's ecological value.

Loss of Bucolic Character: The proposed development will significantly reduce the site's bucolic character, replacing informal, community-driven spaces with a more formally ordered urban layout.

This change contradicts the vision of maintaining a sustainable eco-neighbourhood and could negatively impact the site's current users.

Veracity of information – The tree undercount is an indictment on the veracity of the quality of the information in the HIAs.

Historical and Cultural Disregard: OMEVTA argues that the development approach reflects a top-down model that fails to respect the historical significance of Oude Molen as a cultural site. They advocate for preserving its heritage rather than relegating it to a mitigation strategy within a primarily commercial framework.

Alternative Development Vision: OMEVTA has proposed an alternative vision that emphasises sustainable practices through social enterprise models, aiming to enhance community benefits while preserving the unique character of OM. They argue that this approach aligns more closely with current best practices in sustainable development than the provincial government's plans

Indigenous Knowledge Systems (IKS): Although the HIA acknowledges spaces for rituals and cultural expressions linked to IKS, there is concern that these practices may not receive adequate support or recognition in the broader development context. The integration of IKS into planning processes should be prioritised to ensure that indigenous voices are heard and respected.

8.2.3 Visual Impact Assessment – David Gibbs

The concern that the VIA (like the other IAs contained in the package of assessments) responds to a narrow brief for mixed-use development is compounded by its reliance on the assumed accuracy of various reports. This issue is highlighted in the limitations section of the VIA itself, which reads: "This report assumes that all material supplied by others (including specialist assessments, historical, planning and land-use background research) is an accurate and true reflection of the issues governing the property and its proposed development." This dependence on a predetermined framework raises significant questions about the thoroughness and inclusivity of the assessment process, suggesting that it may not adequately address the complexities and diverse perspectives surrounding the development.

The VIA emphasises the importance of managing visual heritage to conserve the integrity and quality of the visual environment following development. It highlights the intactness of existing historic structures and mature vegetation, particularly trees, which contribute to the site's sense of place. The strong visual presence of the Peninsula Mountains offers panoramic vistas, especially from the western edge. Gibb suggests that meaningful mitigation measures could reduce visual

impacts to a "neutral" level, indicating that the proposed development would not noticeably degrade existing views or visual resources. Overall, the VIA concludes that the development will have minimal detrimental effects on visual resources, environment, or human well-being, remaining compliant with relevant standards and legal requirements.

In contrast, OMEVTA raises significant concerns about the proposed mixed-use development submitted to the WCG, fundamentally opposing the notion of mitigation measures that presuppose development. They argue that while Gibb acknowledges the site's visual integrity, he underestimates the potential for visual degradation resulting from these new proposed developments as it will alter the site fundamentally.

This is also related to the concept of tree canopy. The significant undercount of trees identified by OMEVTA (Kobus Meiring) indicates that achieving a "neutral" visual impact is severely compromised.

The association is particularly critical of how the VIA treats mitigation as a solution, asserting that it implies an acceptance of development that they believe will irreparably harm the character defined by mature trees and historic structures. They contend that any alterations could disrupt their unique sense of place, which is paramount to their community identity. Furthermore, they express scepticism regarding the effectiveness of proposed mitigation measures, arguing that these often fail to adequately address community concerns and intangible heritage and may not be implemented effectively. The tenant's association insists on a more comprehensive assessment - one that prioritises avoidance of adverse impacts rather than merely minimising them - emphasising that regulatory compliance should not take precedence over genuine community values and expectations regarding visual quality and heritage preservation.

8.2.4 Cape Town, Oude Molen Precinct - Trees and Shrubs Quality Survey: Planning Partners Landscape Architects

Kobus Meiring, a member of the OMEVTA, highlights significant discrepancies in the tree survey IA. Based on the interview, he points out that the assessment claims a maximum of 517 trees, while the Indigenous Forest alone contains at least 800 trees. This substantial undercount raises serious questions about the validity of the findings in the impact assessment, suggesting that if such a critical aspect has been miscalculated, other conclusions drawn from the assessment may also be flawed.

Meiring's appeal underscores a broader concern regarding the reliance on mitigation measures that presuppose development, which OMEVTA strongly opposes. The association argues that accepting development based on flawed data undermines their efforts to protect the existing environment and community heritage. They believe that any proposed alterations should not only be thoroughly vetted for accuracy but also reconsidered in light of their potential to disrupt the ecological balance and community character. This situation illustrates a critical need for

transparency and accuracy in impact assessments to ensure informed decision-making that aligns with community values and environmental integrity.

8.2.5 Socio-historical Impact Assessment – Ron Martin

The Socio-historical Impact Assessment examines the socio-historical significance and implications for future development of the OMP.

While OMEVTA acknowledges the validity of Martin's very rich, robust assessment, OMEVTA differs fundamentally with Martin's recommendations for what OMEVTA perceives as a River Club development model. Instead OMEVTA advocates for the WCG to utilise this information to prioritise an OMP development that emphasises the area as a public space, a place of healing - serving as a vital green lung within the urban landscape and preserving the living heritage of a vibrant eco-village. OMEVTA does not support high-density large-scale development under the guise of social housing (34%) – the proportional allocation serves to widen historical imbalances. OMEVTA's perspective diverges significantly due to its freedom from a restrictive brief that favours high-density, large-scale development.

Summary of Ron Martin's Socio-historical Impact Assessment

1. **Historical Context:** The report outlines the multifaceted history of the OMP, highlighting its roles in dispossession, incarceration, and healing. It emphasises the importance of understanding these historical narratives to grasp the socio-historical impact on current and future developments.
2. **Social History Footprint:** The assessment details the social history of the area, including pre-colonial interactions and colonial conflicts. Key events such as the establishment of a refreshment station and early conflicts between indigenous groups and colonisers are discussed.
3. **Challenges in Documentation:** Martin notes the difficulties in capturing the voices of individuals who experienced these historical events due to a lack of recorded histories and biases in existing documentation. However, he acknowledges ongoing efforts by resurgence movements to uncover these narratives.
4. **Memory and Urban Design:** The report advocates for integrating memory into urban design as a means of acknowledging past injustices. A community-led approach to memorialisation is recommended to facilitate healing and reconciliation.
5. **Recommendations for Future Engagement:** The assessment suggests establishing mechanisms for ongoing community engagement throughout the redevelopment process. This includes regular meetings, workshops, and feedback channels to ensure community voices are heard. But again, this presupposes high-density redevelopment which OMEVTA is opposed to.

By emphasising the importance of memory, cultural heritage, and community involvement, the report serves as a critical resource for guiding redevelopment efforts in a manner that honours the area's rich socio-historical context. Notwithstanding, OMEVTA presents a contrasting vision

to Martin's recommendations for what OMEVTA perceives as a River Club, now Riverlands, redevelopment model.

Martin's report (martin: 52, - 53) makes a case for establishing a Centre of Memory, an Amphitheatre, and an Indigenous Heritage Walk within the OMP. While these – and other recommendations - acknowledge the site's heritage, they risk confining it to specific, predefined structures. Importantly, Martin's report does not clarify whether these proposals have the endorsement of the communities they reference. The implication is that these initiatives should be accommodated within the framework of high-density redevelopment where the existence of an eco-village is completely pulverised.

This raises concerns about genuine community involvement and the approach appears to prioritise the objectives of the WCG over the actual voices and needs of the local communities. The recommendations do not reflect a bottom-up engagement process; instead, they suggest a top-down imposition of development that may not align with the community's values or aspirations.

As such, it is crucial to emphasise that any development plans should prioritise authentic community consultation and participation, ensuring that the rich cultural and historical significance of Oude Molen is preserved rather than relegated to mere decorative elements in a concrete landscape.

8.2.5.1 Historical Background of Oude Molen, Valkenberg East - City of Cape Town, Western Cape by Jim Hislop

According to Hislop "the Oude Molen mill house is historically significant for its association with the 1717 Oude Molen windmill (Cape Town's first permanent windmill), and as the building that housed the last independent Zulu king, Cetshwayo, during his exile from Zululand in the early 1880s."

The Oude Molen mill house and historic complex is recognised as a site of Provincial Heritage Significance within TRUP, noted for its outstanding value. However, it has not yet been formally declared a Provincial Heritage Site, despite calls for this designation dating back to 1997 (Quoted in Hislop).

8.2.6 Archaeological Impact Assessment - Katie Smuts of Rennie Scurr Adendorff for Nigel Burls & Associates

"(T)he Oude Molen site could potentially contain archaeological traces from various stages of prehistory, from the Early Stone Age onwards, and particularly to around 2 000 years ago when Khoekhoe pastoralists settled on the Peninsula, to the 18th-century Free Burgher farms that were granted along the river" (Quoted in Hislop)

Hislop's study is again instructive here in that he advocates for "a thorough archaeological investigation of the ... surrounds (which) may provide more clues about the original layout and age of the house, as well as pinpoint the exact site of the Oude Molen windmill and possibly provide information about Khoekhoe activity in the area prior to the colonial era.

OMEVTA supports the view for a thorough archaeological investigation before proceeding with predetermined rezoning and large-scale development.

8.2.6.1 Methodology employed in the AIA

a. Katie Smuts' AIA raises important questions about the methodology employed in her site survey, particularly in light of her conclusion that there is no evidence of archaeological material present (p.1).

- Nature and Methodology of the Site Survey

Types of Surveys: Site surveys can vary significantly in their methodologies. They typically involve visual inspections, but may also incorporate more detailed techniques such as:

- Visual Observations: This is the most common method, where surveyors visually inspect the area for any signs of archaeological material.

- Geophysical Surveys: Techniques like Ground Penetrating Radar (GPR) can be used to detect subsurface features without excavation.

- Soil Sampling: Collecting soil samples can help identify artifacts or features not visible on the surface.

In many cases, a combination of these methods is used to gather comprehensive data about the site. However, if Smuts' survey relied solely on visual observations without any subsurface exploration, this could limit the findings significantly.

b. Contradiction in Findings

Smuts states that: "Any large-scale redevelopment or site-clearing, levelling and trenching would negatively impact remaining below ground features or materials." This assertion implies that there are indeed potential archaeological materials or features present below the surface, which contradicts her earlier conclusion of no evidence found.

c. Key Points of Contradiction:

- Need for Excavation: To conclusively determine the presence or absence of archaeological materials, some level of excavation or subsurface investigation is typically necessary. Visual surveys alone may miss buried artifacts or features.

- Impact on Subsurface Features: By acknowledging that redevelopment could impact below-ground features, Smuts suggests that there is a reasonable expectation that such features exist, even if they were not detected during her survey.

This contradiction highlights a critical aspect of archaeological assessments: the necessity for thorough methodologies that go beyond surface-level observations to ensure accurate conclusions regarding potential archaeological significance.

While Smuts' assessment indicates no visible archaeological material, her acknowledgment of potential impacts from future redevelopment raises questions about the thoroughness and methodology of her site survey. A more comprehensive approach involving subsurface investigation would be essential for a definitive assessment.

8.2.6.2 Burial sites

a. The AIA raises significant concerns regarding an assertion that burials are considered "possible but unlikely," especially in light of oral evidence from stakeholders like Kendre Allies, Tauriq Jenkins and PC Arans, who have indicated the presence of burial sites in the OMP. This discrepancy is particularly sensitive given the cultural and historical implications for local communities and stakeholders involved.

b. Contradiction in Findings

- **Oral Evidence: The oral testimonies presented suggest that burial sites exist within the area, contradicting Smuts' assessment. This evidence should be given considerable weight, as it reflects the community's historical knowledge and experiences.**

- **Sensitivity of the Area: The acknowledgment of potential burial sites is not merely a theoretical concern; it has real implications for local stakeholders, including OMEVTA. Dismissing this evidence as "unlikely" without thorough investigation can undermine community trust and overlook significant cultural heritage.**

c. Methodological Concerns

- **Insufficient Investigation:** If Smuts' assessment did not include an exhaustive investigation into these oral claims, it raises questions about the thoroughness of her methodology. A comprehensive archaeological assessment should involve both physical surveys and engagement with local knowledge to ensure all potential archaeological features are recognized.

- **Need for Further Study:** Given the sensitivity of the subject and the conflicting evidence, a more detailed archaeological study is warranted. This could include:

- **Subsurface Testing:** Excavations in areas identified by local testimonies could provide concrete evidence regarding the existence of burial sites.

- **Community Engagement:** Involving local stakeholders in the assessment process can yield valuable insights and foster collaborative relationships.

The view regarding burial sites being "possible but unlikely" appears to contradict credible oral evidence from local stakeholders. Given the sensitivity surrounding this issue, it is crucial that future

assessments incorporate comprehensive methodologies that respect and integrate community knowledge, ensuring that cultural heritage is preserved and acknowledged appropriately.

8.2.6.3 Confinement of Heritage

The AIA's restrictive view on heritage could undermine the cultural significance of the OMP while facilitating extensive development that may not align with community values or historical preservation efforts. A more inclusive approach that acknowledges diverse heritage elements is essential for fostering sustainable development that respects both history and community needs.

Like the other assessments, the AIA appears to limit the scope of heritage considerations to specific structures like an amphitheatre and a cultural heritage centre. This framing reinforces the River Club model, which promotes high-density, large-scale development while relegating heritage to a marginal role.

- Concerns with Heritage Assessment

Narrow Definition of Heritage: By confining heritage to a few designated sites, the assessment risks overlooking broader cultural and historical contexts, particularly those linked to the indigenous Xhosa peoples who historically occupied the area. The OMP is significant not only for its existing structures but also for its cultural landscape and historical narratives that extend beyond these confines.

Implications for Development: The emphasis on a limited heritage scope supports the justification for extensive development plans that may not adequately consider or respect the site's full historical, cultural especially the living heritage significance. This can lead to a scenario where heritage is "boxed into a corner," undermining efforts to preserve and honour local history and culture.

- Stakeholder Sensitivity

Community Concerns: The area is sensitive for various stakeholders, including OMEVTA, local communities and heritage advocates. The reduction of heritage considerations can provoke resistance against developments perceived as prioritising profit over cultural integrity.

Call for Comprehensive Assessment: Given the significance of the OMP as a historical, cultural and ecological area, there is a pressing need for a more nuanced assessment that incorporates community voices and recognises the full spectrum of heritage values. This includes conducting thorough consultations with local stakeholders to understand their perspectives on what constitutes heritage in this context.

8.2.6.4 Mitigation Strategies

Despite the AIA's proposed mitigation (read London's tick-box exercise) strategies (including the C18th mill, typical historical finds from farmsteads, as well as evidence for the period of political exile of the Zulu King, Cetshwayo) the underlying premise of the assessment appears to

presuppose large-scale development as a foregone conclusion. This predetermined stance raises concerns about the adequacy and sincerity of the mitigation measures, as they seem to prioritise development objectives over genuine preservation of the site's rich cultural heritage and archaeological significance. Such an approach risks sidelining critical community input and undermining the integrity of both the assessment process and the historical narratives that deserve recognition.

8.2.7 Socio-Economic Impact Report - Urban-Econ Development Economists (Pty) Ltd

OMEVTA has articulated significant concerns regarding the recently released Socio-economic impact report for the OMP.

8.2.7.1 OMEVTA Concerns

Firstly, OMEVTA questions why a guide was not included in the Burls framework for an EIA. Could it be that it was considered a foregone conclusion that the development will proceed, and that this EIA did not warrant much attention.

Secondly, this report relies heavily on the draft HIA by Cindy Postlethwaite, dated September 2024, which is still open for public comment. OMEVTA believes that this dependency undermines the report's credibility and fails to adequately represent the community's needs and aspirations.

Thirdly, OMEVTA questions the reliability of a Social Account Matrix (SAM) model which informs the Socio-economic Report and instead advocates that the report also exams how well the SAM framework captures the socio-economic impacts of proposed developments including the impact on economic projections – as it relates to community values, environmental sustainability, and social inclusion. Instead, OMEVTA recommends that the Economic IA also considers a framework that relies on qualitative inputs of stakeholders.

8.2.7.2 Key Critiques of the SAM Model

The SAM model has several important limitations that make it less effective for understanding the socio-economic impacts of proposed developments, especially from OMEVTA's perspective. One major concern is the quality of the data used; if the initial information is inaccurate or not representative of the community, the analysis can lead to misleading conclusions about local economic conditions. Additionally, SAMs often rely on static assumptions, which means they don't adapt to changes in the economy or community needs over time, missing out on important shifts in local labour markets and social dynamics.

Another significant issue is that SAMs typically focus on direct economic transactions while overlooking broader environmental and social impacts. This is particularly relevant for communities such as OMEVTA that prioritise sustainability and social redress, as it can result in an incomplete picture of how development activities affect local ecosystems and community well-

being. Furthermore, SAM analyses may overestimate economic benefits due to unrealistic assumptions about available resources and labour. Finally, there is often a lack of community engagement in the SAM process, which is crucial for truly understanding local socio-economic conditions. Without involving community members and stakeholders, the model risks making decisions that do not reflect the values or priorities of those affected. OMEVTA suggests considering alternative approaches that incorporate dynamic modelling and active community involvement for a more comprehensive understanding of socio-economic impacts.

8.2.7.3 Land Use: Housing vs. Cultural Heritage

The proposed development plan allocates substantial land for housing compared to cultural heritage, with specific figures indicating only 788 m² of the total OMP of about 14,62 ha has been allocated to cultural heritage. This stark contrast highlights a prioritisation of residential, commercial and retail development over the preservation of cultural heritage, which is essential for maintaining the unique identity of the Oude Molen Eco Village.

OMEVTA argues that such an imbalance threatens both the area's historical and cultural significance, as well as its ecological integrity. OMEVTA requests greater transparency and clarity regarding the actual allocation and division of the property for the various components envisioned under the redevelopment plan.

8.2.7.4 Housing: Concerns Over Housing Allocation and Gentrification

The Socio-economic impact report proposes a significant allocation of land for residential development, including 1,364 total residential units. However, the smaller allocation for social housing—specifically 464 social housing units—is clearly weighted in favour of market-driven wealthier demographics. This imbalance raises serious concerns about gentrification and the potential displacement of existing residents. In addition, OMEVTA is seeking clarity on whether the 464 units will be built within the OMP or elsewhere.

The emphasis on high-end residential units, including 438 open market apartments and 462 open market terrace apartments, raises concerns about prioritising profit over community needs. The frequently cited 34% social housing allocation, often highlighted in the assessment reports to suggest that the WCG is genuinely addressing spatial apartheid planning, appears to reinforce existing disparities instead. For instance, apartments in the newly branded Riverlands, previously known as the River Club, are currently listed starting at R1.65 million. This pricing reflects a lack of spatial planning that aligns with community requirements in a democratic South Africa. Consequently, this strategy risks transforming OM into an area predominantly serving affluent individuals and developers, thereby undermining the social fabric that has historically defined the eco-village.

By emphasising luxury housing options (currently 66%) at the expense of adequate social housing (currently 34%), the development plan threatens to exacerbate socio-economic divides, pushing out long-standing residents and small businesses that are integral to the community's identity. Furthermore, OMEVTA posits that the future of the Maitland Village will be negatively impacted underscored by concerns of gentrification, etc. This is not covered in the Socio-economic Assessment. OMEVTA strongly advocates for a more equitable housing strategy that ensures affordable options are genuinely prioritised, fostering inclusivity rather than exclusivity.

8.2.7.5 Opposition to High-Density Development

The proposed development concept for the OMP, as outlined in the Socio-economic Impact Assessment, consists of 18 blocks of mixed-use activities with heights ranging from 2 to 5 stories. This plan has raised significant concerns among stakeholders, particularly regarding its potential to fundamentally alter the character of the OMEV.

The introduction of 18 blocks up to 5 stories high would drastically change the visual and social landscape of OM. Critics argue that while the proposal includes retaining existing buildings of heritage value, this often amounts to little more than preserving the facade, with less than 5% of the original structures being maintained. This approach has been likened to a superficial treatment of heritage, where the essence and historical significance of the buildings are lost in favour of new development. As Marc Turok noted regarding similar developments, even a modestly sized apartment building can dramatically alter beloved spaces, such as Kirstenbosch Botanical Gardens. The same principle applies to OM; the proposed changes risk overshadowing its unique character and heritage.

OMEVTA, along with other stakeholders, has not supported the assessment's premise of high-density large-scale development. They contend that this approach is misaligned with the eco-village ethos and poses risks of gentrification, which could displace existing tenants and small businesses integral to the community's character. The association emphasises that a focus on high-density housing does not reflect the community's vision for sustainable living.

OMEVTA is concerned that its potential contribution to an income model similar to that of Kirstenbosch Gardens based on eco-tourism is not reflected in the current assessment. Members of OMEVTA have indicated that there is significant income-generating potential for the OMP, drawing inspiration from the successful eco-tourism activities at Kirstenbosch. They believe that leveraging this potential could enhance the economic viability of the OMP while promoting sustainable tourism practices in the region.

OMEVTA emphasises the importance of considering alternative models that prioritise qualitative input. For instance, integrating qualitative assessments can enhance the understanding of economic dynamics and community impacts. As well as making it more accessible to a diverse range of stakeholders.

8.2.7.6 Alternative Economic Models include:

Alternative economic models include Participatory Economic Modelling, which engages stakeholders for diverse insights; Qualitative Comparative Analysis, which identifies patterns through qualitative data; Systems Dynamics Modelling, focusing on interactions and feedback within economic systems; and Integrated Assessment Models, which combine quantitative and qualitative data to assess impacts comprehensively. Integrating these models with the SAN approach can enhance its robustness by capturing essential qualitative nuances, particularly for understanding community dynamics and heritage value in eco-village proposals.

8.2.2.7 Envisioning an Authentic HIA

If the socioeconomic impact report were based on an authentic HIA that envisions Oude Molen as a public space and eco-village rather than a high-density residential area, several transformative changes could occur:

- Community-Centric Development: The focus would shift towards creating inclusive public spaces that foster community interaction and support local enterprises, including parks and gardens drawing more people to benefit from the space.

- Balanced Land Use: A more equitable distribution of land between housing and cultural heritage would be prioritised, ensuring that historical sites are preserved while adequately addressing housing needs within the broader metropole. To not mislead communities and stakeholders about claiming to want to address apartheid spatial imbalances by relying on the foregrounding of mixed-use housing” a subterfuge for gentrification. Also, that the space allocation for social housing is often very small compared to upscale or unaffordable housing. For Oude Molen redevelopment only 34% of housing is allocated for social housing thus reinforcing apartheid spatial imbalances.

- Sustainable Economic Opportunities: Rather than solely emphasising residential units, the report could advocate for mixed-use developments that incorporate local businesses (CF Letter from Robin Trust) and social enterprises, enhancing job creation without compromising community integrity. The members of OMEVTA question the economic projections contained in the report.

- Environmental Preservation: An authentic HIA would emphasise environmental sustainability by integrating green spaces and promoting biodiversity within the development framework.

OMEVTA asserts that the socioeconomic impact report is fundamentally flawed due to its over-reliance on a draft HIA that is still out for public input. This reliance raises questions about the validity of its findings and recommendations. The association believes that without genuine community engagement and a balanced approach to land use, any proposed developments in Oude Molen risk undermining both cultural heritage and ecological integrity. The proposed high-density development threatens to change the character of Oude Molen irreparably while offering inadequate protection for its heritage. OMEVTA calls for a re-evaluation of development strategies

to ensure they reflect community values while prioritising sustainable practices and preserving the unique character of the OMEV.

9 Contested developments

9.1 Other contested developments in the Western Cape

9.1.1 Botmaskop

Tenants of Oude Molen are increasingly concerned that the heritage preservation process, particularly as the final decision by the South African Heritage Resources Authority (SAHRA) as required by legislation is still outstanding, which stands in stark contrast to the WCG rapid attempts at rezoning. A recent episode of Carte Blanche titled "A Scar on the Mountain" which aired on 6 October 2024 highlighted the heritage concerns at Botmaskop in Stellenbosch which is also part of the Western Cape Province. It highlights a contested luxury development in Stellenbosch, raising questions about its impact on local heritage. According to Carte Blanche the residents feel the new estate diverges from the small mountain resort they initially approved, emphasising the tension between development and preserving historical community values and heritage. The episode explores how these changes affect both the landscape and cultural identity of the area – particularly considering a controversial land swap favouring developers over community needs.

SAHRA declared Botmaskop a heritage site, yet development for exclusive commercial housing continues unabated. This contradiction raises significant questions about the prioritisation of heritage conservation versus development interests and the PPP.

The Botmaskop development has raised significant concerns among residents and heritage advocates, despite its designation as a heritage site by SAHRA.

Main Concerns About Botmaskop Development
1. Continued Development Despite Heritage Status: Residents are alarmed that, despite SAHRA's declaration of Botmaskop as a heritage site, development for exclusive commercial housing is proceeding. This situation creates a perception that heritage protections are ineffective against commercial interests, undermining the integrity of the heritage designation process.
2. Loss of Cultural Landscape: The proposed high-density developments threaten to alter the cultural landscape significantly, obstructing views and diminishing the area's historical context. Community members fear that such changes will erase the unique character of Botmaskop, which is integral to their identity and heritage.

3. **Competing Interests:** There is a notable tension between heritage conservation and development needs. Residents argue that the rapid push for urban development often prioritises economic gain over preserving cultural significance, leading to conflicts that can compromise both the environment and community values.

4. **Lack of Effective Oversight:** Concerns have been raised about insufficient monitoring and enforcement of heritage protections. Critics argue that without robust oversight, developments can proceed unchecked, leading to irreversible damage to heritage sites.

5. **Community Disengagement:** Many residents feel excluded from the decision-making processes regarding Botmaskop's future. The lack of meaningful community engagement in discussions about development plans contributes to feelings of disenfranchisement and frustration among local stakeholders.

6. **Precedent for Future Developments:** The ongoing development at Botmaskop sets a concerning precedent for how other heritage sites may be treated in the future. If commercial interests can override heritage protections in this case, it raises fears about similar outcomes for other significant sites across the region.

7. **Lack of Community Consultation:** Many residents feel that their voices are not being adequately considered in these planning processes. The rapid pace of development proposals has led to feelings of disenfranchisement among community members who believe they should have a say in decisions affecting their neighbourhood.

8. **Historical Context:** The developments in Botmaskop echo broader themes of land dispossession and expropriation seen in other areas, such as Constantia and Rondebosch East. Residents and impacted stakeholders fear that these new projects might perpetuate cycles of inequality rather than address historical injustices.

By highlighting these concerns, OMEVTA hopes to advocate for more stringent protections and a balanced approach that respects both heritage conservation and responsible development practices.

Concerns have been raised regarding development proposals in areas such as Botmaskop, the Philippi Horticultural Area, and the private sale of 44 properties in Constantia and proposed developments in Rondebosch East and OMP. Questions arise about why the properties in Constantia, located in existing residential neighbourhoods, are not earmarked for social housing if the WCG is genuinely committed to addressing apartheid spatial planning. Selling off such properties seems counterproductive, especially considering their potential for social housing opportunities that could help rectify historical injustices as well as restitution.

As custodians of public land, the government should prioritise restitution and redress rather than divestment. Additionally, inquiries about the rationale behind rezoning efforts in places like the River Club, Rondebosch East, and the Harrington Street parking lot near the District Six Museum,

as well as OMP, further amplify concerns about the government's commitment to spatial redress. The contested developments surrounding the River Club and Botmaskop, along with the hasty auctioning of land in Constantia, raise questions about the government's dedication to addressing apartheid spatial planning. Furthermore, ongoing development processes in Rondebosch East and the Philippi Horticultural Area and OMP highlight a perceived indifference to community needs. The community deserves clarity on these decisions and a commitment to fostering equitable development that addresses past disparities in planning.

9.2 Broad Organisational structure for development

OMEVTA has issued a call to the WCG to halt all development and rezoning activities in the Western Cape. This request is aimed at preventing the private auctioning of public land in Constantia and elsewhere, a situation that has raised significant concerns among local residents. OMEVTA is advocating for the establishment of a broad organisational structure to address these issues in a holistic and transparent manner, aiming to avoid past injustices similar to those experienced in Botmaskop and Constantia.

Key Points from OMEVTA's Call

- I. Immediate Halt to Development: OMEVTA is urging the government to stop all current development and rezoning efforts to ensure community interests are prioritised.
- II. Formation of an Organisational Structure: The association emphasises the need for a comprehensive framework that allows for community involvement and transparency in decision-making processes regarding land use. A PPP that is authentic and is aligned to the framework contained in the Public Service Commission Guidelines.
- III. Database of Current Processes: OMEVTA is requesting a transparent database that outlines all ongoing rezoning and development activities in the Western Cape. This database would serve as a critical resource for residents to stay informed about changes that may affect their communities.

Context of the Call

Recent actions by the City of Cape Town have raised significant concerns among residents, particularly regarding the auctioning of prime properties, including several in Constantia. These auctions feature opening bids ranging from R1.5 million to R3 million for properties that are highly sought after by developers. This process is perceived as potentially harmful to community interests, with fears that it may lead to the further privatisation of public land without sufficient oversight or community engagement.

The controversy surrounding the Botmaskop issue adds to these concerns. Allegations of conflicts of interest and questionable transactions involving a 32-hectare plot on the slopes of Botmaskop have emerged, with investigations revealing that the property has been linked to dubious financial

dealings. This situation underscores the need for transparency and accountability in land transactions, as it reflects broader issues of governance and community rights.

In addition to these developments, communities face threats from various projects in areas such as Rondebosch East, the Philippi Horticultural Area, and the Harrington Street parking lot, as well as ongoing concerns in OMEV. These developments have sparked fears among residents about losing access to vital communal spaces and resources, further amplifying calls for a more inclusive approach to urban planning.

Collectively, these issues highlight the urgent need for a comprehensive strategy that prioritises community interests and ensures transparent processes in land development and rezoning initiatives across the Western Cape.

OMEVTA's initiative reflects a broader movement among residents who seek greater accountability and transparency from local government regarding land use policies and development projects.

10 Successful local and international eco-villages

10.1 Several successful eco-villages serve as models for sustainable living

10.1.1 Examples of Eco Villages in South Africa

10.1.1.1 Tlholego Ecovillage

Near Rustenburg in the North West Province. Founded by the Rural Educational Development Corporation, Tlholego focuses on ecosystem restoration and community healing.

Sustainability Features: It emphasises organic farming, water harvesting, and natural building practices.

Economic Sustainability: The community supports itself through workshops, training programs, and developing local businesses in livestock and organic products.

10.1.1.2 Lyndoch Eco Village, South Africa

Near Stellenbosch. A small community promoting social justice alongside ecological sustainability.

Sustainability Features: Uses alternative building materials, solar energy, and has a comprehensive waste management system.

Economic Sustainability: The village engages in educational initiatives and community-driven projects to foster economic inclusivity

10.1.2 Examples of Eco-Villages in Africa - Sekem, Egypt

Founded in 1977, Sekem integrates biodynamic farming with social and cultural initiatives.

Sustainability Features: It focuses on organic agriculture, renewable energy, and education. Sekem has developed a successful business model that includes organic products and pharmaceuticals.

Economic Sustainability: Sekem operates profitably, reinvesting earnings into community projects and ecological practices, demonstrating a viable economic model.

10.1.3 Examples of Eco-Villages Elsewhere:

1. Ithaca, New York

This community emphasises low ecological footprints, with 80% of its land preserved as open space. It features passive solar homes and extensive community gardens, promoting education on sustainable practices.

2. The Farm, Tennessee

Founded on principles of nonviolence and sustainability, it includes a midwifery centre and various businesses, focusing on community-building and ecological practices.

3. Crystal Waters, Queensland

The first permaculture village globally, it integrates agriculture with conservation, maintaining a significant portion of land for wildlife

The eco-villages highlighted above exemplify diverse approaches to sustainable living, showcasing innovative designs, community engagement practices, and ecological stewardship. They serve as valuable models for the OMP, the last green lung in an urban environment close to the main CBD, highlighting the urgent need for the WCG to reissue a brief aimed at transforming OM into a leading example of sustainability, learning, and growth. By prioritising collaboration, education, and respect for nature, the government can foster a vibrant community that emphasises economic viability through social enterprises and sustainability. Implementing a clear development brief, engaging the community in decision-making, and integrating eco-principles into all aspects of development will position OM as a beacon of sustainability in the region. The time for action is now; retaining this vital green space will not only benefit local residents but also inspire other communities across Southern Africa.

11 Vision for Sustainable Development

11.1 Design Capital of the World Award for the Oude Molen Precinct

11.1.1 Eco Village recognised

In 2010, the OMEV was awarded the Design Capital of the World designation as part of a broader initiative to recognise innovative and sustainable urban design. This award highlighted the village's commitment to creating a vibrant community that integrates ecological principles with sustainable social and economic development.

The Design Capital of the World accolade establishes a framework that aligns with the aspirations of OMEVTA for future development as it emphasises principles of sustainability, preservation, and human opportunity - guiding OMEVTA's vision to transform the area into a thriving micro-enterprise eco-village. (Hudson McComb: *Envisioning the Future Development of Oude Molen Eco Village*). In addition, the proposal won the Mail & Guardian Sudley Adams Memorial Award in 2016, an Annual Mail & Guardian Greening Award which acknowledges and celebrates a project that incorporates all the different Greening Award categories.

11.1.1.1 Key Points about the Award

Recognition of Sustainability: The award acknowledged OM's efforts in promoting sustainable living through its eco-friendly practices, community engagement, and micro-enterprise initiatives.

Community Impact: The village serves as a model for how under-utilised public assets can be transformed into thriving community spaces that provide employment and foster local entrepreneurship.

Cultural Heritage: The award also recognised the historical significance of the OMP, which has evolved from its past uses as a military barracks and mental asylum to a dynamic eco-village that celebrates its heritage while looking towards sustainable future development.

11.1.2 Vision vs Development contradiction

OMEVTA raises a significant concern regarding the inconsistency in government actions over a decade, particularly in relation to the OMP recognised for its sustainability principles. The situation reflects a broader issue of governance and urban planning, where decisions made in one era can conflict with those made later and potentially post-2024.

11.1.2.1 Historical Context

In 2010, the administration supported the recognition of OMP as a sustainable area, which aligned with the principles of the World Design Capital initiative that promotes eco-friendly urban

development. However, by 2015, the same government silently rezoned the area to a Utility Zone, effectively criminalising existing activities that were previously encouraged under sustainable practices. This shift raises questions about the rationale behind such drastic changes in policy and planning.

11.1.2.2 Future Implications

If the WCG decides to further rezone the OM area into mixed-use, large-scale development, moving away from its eco-village footprint, it would reshape the landscape irrevocably.

Potential Outcomes of Further Rezoning

Shift in Community Dynamics: The area will transition from a vibrant eco-village, recognised for its sustainable practices and community initiatives, to a different urban landscape that prioritises utility and development over ecological principles. This could affect local businesses and community engagement.

Impact on Sustainability Recognition: As indicated, OM has been recognised for its eco-design and practices. A shift away from these principles would undermine the area's reputation as a model for sustainability, losing its status as a recognised eco-friendly community.

Long-Term Urban Planning Challenges: The actions taken today will have lasting implications for the community's identity and environmental integrity, emphasising the need for thoughtful and inclusive decision-making in urban planning.

11.2 OMEVTA's Vision for the future

OMEVTA is actively seeking genuine alternatives to the proposed large-scale housing project. They advocate for development that aligns with the eco-principles currently embraced by the community, emphasising low-density, mixed-use spaces that support existing businesses and enhance community well-being rather than displacing them.

In other words, while OMEVTA is not opposed to development, through this tenant and stakeholder response it advocates for a model that aligns with its eco-village ethos. OMEVTA advocates for a collaborative approach to development that prioritises community and stakeholder needs, ecological integrity, and cultural heritage preservation. The association urges the WCG to engage transparently with stakeholders and in collaborative dialogue to ensure that future projects align with the core values of sustainability, social equity, economic justice and respect for heritage that define the OMEV. This includes maintaining public green spaces, supporting local businesses, and ensuring that any development solutions are genuinely affordable and accessible to current residents and the community. By addressing these critical issues proactively and establishing a forum or inclusive consultative mechanism with decision-making powers, we can work towards a development model that honours both people and place while safeguarding our shared history.

In this way we can respect the unique heritage of the eco-village and OM can serve as a model for sustainable urban living rather than a victim of unchecked commercial expansion. In Dan Nesor's words: "The vision of OMEV is for further discussion-consultation process. Its intent is to propose a balanced concept of adding an active edge on Alexandra Road, keeping the access of the ring road as the well-used access to the south-east TRUP, with moderate but effective upgrade of existing buildings..."

OMEVTA's April 2024 "Statement of tenants' position with respect to the redevelopment of the OMP reads as follows:

We as tenants, might welcome the redevelopment initiative if it embraces these criteria:

11.2.1 A transparent public participation process

This must perforce start at the beginning. The process cannot have already decided on the conceptual vision and key drivers before public participation and consultation have started.

11.2.2 Alternative conceptual visions

This must be allowed to be expressed and discussed during public consultation as if they are viable options.

- Irrespective of process outcome, tenants will be treated with fairness and honesty in accordance with existing agreements and the historical context of current tenure.

11.2.2.1 Balanced Proposal - Scenario Plan C

Stakeholders and OMEVTA have indicated that they are not averse to development and are proposing the "Scenario C Preserved Park Vision (which scored over 80% with stakeholder I&APs participating in the consultation process). Scenario C which curiously does not feature in the current four scenarios or alternatives in the draft HIA recognises the need to preserve and to some extent renovate buildings. Scenario C also accepts a possible revitalised edge on Alexandra Road but a much smaller footprint and only 2-3 storeys high. Not the 5 or so in the HIA. It is important to maintain the Heritage Open Space quality and open vistas of the west including the green space on either side of the ring road, to be enhanced as a treasured unique place. The updated detail was shared with the WCG a few years ago. (Turok) The intent was that further in-depth co-design precinct consultation involving all interested parties through capacity building and access to resources through meaningful participation.

- A Brief Example of an Alternate Conceptual Vision – based on OMEVTA's April 2024 statement of tenants' position

OMEVTA envisions OMP as an eco-village on public land, serving as a model for sustainable living through innovation and collaboration. This vision includes establishing the eco-village as a public gateway and caretaker hub for Cape Town's TRUP, focusing on key areas such as recycling, water management, sustainable animal husbandry, food security through urban agriculture and

permaculture, eco-architecture with sustainable materials, alternative energy solutions, and transport innovations to reduce congestion. Additionally, OMEVTA emphasises the importance of heritage preservation, ensuring that local cultural identities are enhanced rather than diminished in the process. By fostering these initiatives, OMEVTA aims to create a vibrant community that exemplifies ecological sustainability and social responsibility.

12 Conclusion

This response articulates the formal concerns of OMEVTA regarding the draft HIA for the proposed development of OMP, as outlined in the September 2024 draft for public comment. Submitted in accordance with Section 38(4) of the NHRA, this document highlights critical issues that could significantly impact the social, cultural, economic, and environmental fabric of the area, affecting future generations.

OMEVTA expresses deep concern over several key points. Firstly, the WCG's approach appears to prioritise large-scale commercial development over heritage preservation, effectively mitigating heritage into a mere 788m² area of the total 14-15 hectares available. This contradicts the stated vision for heritage conservation and raises questions about the alignment between vision statements and actual development proposals. Furthermore, discrepancies in current HIAs - such as a lack of reference to previous assessments - indicate a troubling absence of continuity and accountability. Efforts to access information through PAIA are hindered by bureaucratic delays, with stakeholders facing difficulties in obtaining necessary documentation from both consultants and government representatives.

The association also highlights significant issues regarding stakeholder engagement. There is a clear disregard for public participation processes, as stakeholder input is inadequately reflected in the HIAs, with no justification provided for excluding feedback from OMEVTA. Additionally, HIA consultants have been largely inaccessible, redirecting inquiries back to the WCG without meaningful engagement. Concerns about rezoning processes further complicate matters; utility rezoning occurred quietly in 2015 despite prior recognition of the area as an Eco Village. The ongoing rezoning and absence of a full EIA threatens local communities, micro-enterprises, green spaces, and heritage resources.

Moreover, while HIAs claim to promote inclusion and address spatial imbalances, they often serve as empty rhetoric that favours large-scale developments over community needs. Living heritage considerations - such as those related to equine services, youth programmes, mental health and therapy, arts and craft, recreation and partnership with the Maitland Garden Village community through the Swimming Pool Project - are notably absent from these assessments. The presence of endangered species like the leopard toad has not been adequately addressed either.

Additionally, a significant undercount of trees in the current assessments compromises the validity of the draft HIA, raising further concerns about environmental integrity.

The current HIAs fail to acknowledge their contested nature that seem to have a predetermined outcome or recognise ongoing debates surrounding their methodologies and implications, raising concerns about their validity.

Furthermore, there is a lack of transparency regarding the tender process associated with development initiatives, which further complicates trust among stakeholders. The current lease agreements also require further scrutiny. OMEVTA urges that any development should await the conclusion of heritage grading processes currently underway by the WCG, including Grade I and Grade II evaluations. This is essential to ensure that future developments respect local heritage while fostering sustainable living practices OMEV.

OMEVTA also emphasises its commitment to integrating Liberation Routes into its planning efforts while promoting eco-tourism initiatives that celebrate our cultural heritage.

In light of these multifaceted concerns, OMEVTA emphasises its commitment to a collaborative and sustainable approach to urban planning that prioritises local needs and heritage preservation. The association advocates for balanced densification with a much smaller footprint that supports job creation, skills development initiatives and the preservation of green spaces. By addressing these issues comprehensively, OMEVTA aims to ensure that future developments respect local heritage while fostering sustainable living practices in OMEV.

Ultimately, OMEVTA calls on the WCG to engage meaningfully with communities rather than relying on legal processes to resolve disputes. The association seeks transparency from provincial authorities regarding development plans and processes to foster trust between stakeholders and government entities. As tenants and community members living within and near the TRUP, OMEVTA is increasingly concerned about decisions being made regarding this vital public space. The TRUP embodies shared history, cultural identity, and community values; thus, it is crucial that stakeholder voices are heard in shaping its future amidst ongoing heritage assessments that seem to prioritise commercial interests over community well-being.

13 Recommendations

13.1 Cathedral Thinking

Cathedral thinking is a profound concept that emphasises the importance of long-term vision and planning, particularly in the context of projects that should benefit future generations. As articulated in the Macmillan dictionary, it refers to "long-term projects or goals realised for the sake of or for the benefit of future generations." This mindset encourages us to consider the

impact of our actions today, not just for our own immediate needs but for those who will come after us.

A poignant quote that encapsulates this idea comes from Antoni Gaudi, the architect of La Sagrada Família:

“It is not a disappointment that I will not be able to finish the temple. I will grow old, but others will come after me. What must always be preserved is the spirit of the work; its life will depend on the generations that transmit this spirit and bring it to life.” (Quoted from: https://www.goodreads.com/author/quotes/548166.Antoni_Gaud)

This perspective challenges us to think beyond our lifetimes and recognise that our contributions - whether in architecture, community building, or environmental responsibility are part of a larger continuum. By embracing cathedral thinking, we can create a legacy that not only addresses today's challenges but also lays a foundation for a sustainable and equitable future for generations to come.

As tenants and community members living in and near the TRUP, we are increasingly concerned about the future of this vital public space. The TRUP is not just a park; it embodies our shared history, cultural identity, and community values. Once again, recent developments have raised serious concerns about how decisions are being made regarding this space, particularly in light of the ongoing heritage assessments which appear to prioritise commercial interests over community and stakeholder interests. OMEVTA's vision for the future rooted in the concept of cathedral thinking, encourages a long-term perspective that considers the impact of our actions on future generations. This provides the context for our recommendations.

13.2 Recommendations

The tenant's association firmly rejects the flawed draft HIA and strongly recommends that it not be supported by HWC. OMEVTA contends that the draft HIA fails to address critical community concerns and misaligns with the principles of sustainability and heritage conservation, ultimately threatening the integrity of the OMEV.

The association emphasises the need for preserving the unique character and ethos of the eco-village amidst plans for social housing and mixed-use large-scale development that advances commercial interests. The recommendations in the Response Document to the draft HIA would encompass several key areas aimed at preserving heritage and promoting sustainable development. These recommendations include:

13.2.1 Comprehensive Review of HIAs:

A call for a thorough review of the current HIAs to ensure they adequately reference previous assessments and maintain continuity. This includes addressing discrepancies like the tree

undercount and ensuring that all relevant heritage resources are identified and assessed. The misalignment between the vision statement and development proposal to be addressed.

13.2.2 Public ownership

Public Ownership: The property should remain public land to ensure community access and benefit. Rezoning applications should consider this land and infrastructure to be a public asset and not a site for large-scale, high-density development. The property should remain public property informed by eco-village principles.

13.2.3 Public Participation Process

Emphasising the need for meaningful stakeholder engagement throughout the assessment process, ensuring that community input is not only acknowledged but actively integrated into development proposals. OMEVTA advocates for improved consultation regarding both rezoning processes and heritage site declarations. Our courts are burdened with costly and time-consuming legal processes that have often favoured community voices in PPP. OMEVTA urges the WCG, which has ample resources, not to rely on the courts to resolve these matters. Instead, we advocate for meaningful engagement with communities from the outset to prevent the need for legal intervention. In line with PSC recommendations that government subject themselves to peer review to enhance their PPP performance and integrity aligned with this is the call by OMEVTA for the establishment of a broad coalition or inclusive stakeholder committee with decision-making mandates.

13.2.4 Transparency in Tender Processes

Advocating for greater transparency in the tender process related to development initiatives, which is essential for building trust among stakeholders and ensuring accountability.

13.2.5 Lease Agreement consideration

OMEVTA recommends addressing significant concerns regarding the lease agreements tied to the proposed OMP development, particularly in light of mischaracterisations in the draft HIA. The current lease, which is set to expire in September/October 2025, inaccurately suggests that renewal is contingent upon obtaining development rights. Instead, OMEVTA negotiated terms that tie lease renewal to the existence of a legitimate development plan that has undergone all necessary legal procedures. This crucial distinction between "rights" and "plans" must be clarified to prevent misrepresentation and restore trust in the WCG's approach.

There is also no provision for early termination based on legally legitimate plans, indicating that lease terminations should be a negotiated process rather than an arbitrary decision. OMEVTA emphasises that this mischaracterisation undermines stakeholder confidence and calls for transparency in the lease renewal process.

13.2.6 Heritage Grading Considerations

OMEVTA advocates for the recognition of OM as a national heritage site, arguing that such a designation would protect its unique biodiversity, cultural history, and community initiatives from potentially disruptive developments. Recommending that the WCG wait for the completion of these ongoing heritage grading processes (Grade I and Grade II) before proceeding with any development plans, to ensure that all heritage values are fully recognised and protected.

13.2.7 Tangible and Intangible Heritage Integration

13.2.7.1 Tangible Heritage Integration

There is a pressing need to incorporate tangible heritage considerations into HIAs. This includes significant elements such as the heritage of the leopard toad, the historical mill, burial sites, and the furnace. These physical sites and species are crucial to understanding the community's historical narrative and ecological significance. It is also important to first consider retention and adaptive reuse of buildings and not rely on demolition that serves development interests.

13.2.7.2 Intangible Heritage Integration

In addition, it is essential to integrate intangible heritage considerations into HIAs, encompassing our Living Heritage including equine services, mental health practices, education, the partnership between OMEVTA and the Maitland Garden Village through the Swimming Pool Project as well as local cultural traditions. This integration should reflect the community's ongoing relationship with its heritage and ensure that cultural practices and social values are recognised and preserved.

13.2.8 Environmental Impact Assessments

Highlighting the importance of conducting a thorough EIA that includes specific sections on cultural heritage, ensuring that potential impacts on both natural and cultural resources are adequately evaluated. Not to use the current Utility Zoning as a subterfuge for circumventing the need for a full EIA or any other reason.

13.2.9 Protection of Endangered Species

Recommending specific measures to protect endangered species, such as the Western Leopard Toad, within development plans, ensuring that biodiversity is preserved alongside cultural heritage.

13.2.9.1 Promotion of Eco-Tourism and Sustainable Practices

Encouraging the integration of eco-tourism initiatives that celebrate local heritage and promote sustainable practices within the eco-village framework, thus enhancing economic resilience while respecting cultural identity.

13.2.10 Addressing Tree Undercounts

Calling attention to significant discrepancies in tree counts within HIAs, which compromises the validity of draft HIA and urging accurate assessments to reflect true environmental conditions.

13.2.11 First Nations Rights Recognition

Advocating for recognition of First Nations rights in development discussions, ensuring that their historical and cultural significance is respected and preserved.

By addressing these multifaceted concerns comprehensively, OMEVTA aims to ensure that future developments prioritise community needs, respect local heritage, and foster sustainable living practices within OMEV.

13.2.12 Expert Governance

An elected board of independent experts in relevant fields should guide the project to ensure it meets its sustainability goals.

13.2.13 Halt the current rezoning process and application

This is important to create space for community voices to surface.

13.2.14 Support local businesses

Promote commercial activities that support local businesses and entrepreneurs within the eco-village, enhancing economic resilience and providing essential services to residents.

13.2.15 Job Opportunities and Integration with Maitland Garden Village

Focus on generating job opportunities for both the OM community and surrounding areas. The association emphasises the importance of local employment initiatives that can provide sustainable livelihoods for residents and references its relationship with the Maitland Garden Village through the Swimming Pool project.

13.2.16 Misleading Emphasis on Social Housing Provision

OMEVTA expresses concern that the draft HIA disproportionately highlights the provision of 34% social housing, thereby diverting attention from the substantial 66% allocation designated for commercial, retail, and development purposes. This approach appears to manipulate public

perception, suggesting a commitment to social housing while overshadowing the significant commercial interests at play. OMEVTA seeks clarification on whether the proposed social housing will be located within the precinct or outside of it. To uphold transparency and integrity, OMEVTA recommends that the development process avoids misleading representations regarding social housing commitments and ensures that community needs and priorities are genuinely reflected in planning discussions.

13.2.17 Transport Planning and Construction Impact

Acknowledging that transport and construction phases are not heritage indicators there have notwithstanding been sustained calls from OMEVTA members to consider this aspect in the response document. Calls for thorough evaluations of transport implications stemming from increased density, noise associated with new developments are emphasised. The current mayhem and pollution of the river from construction overflow is very instructive.

By focusing on these elements, the tenant-driven alternative aims to create a holistic development approach that not only enhances the socio-economic landscape of OMEV also preserves its unique heritage and fosters a sense of community ownership. This model can serve as a blueprint for sustainable urban development that prioritises local needs while addressing broader socio-economic challenges.

Heritage Preservation

1. Cultural Heritage Integration: Ensure that any new developments respect and incorporate existing heritage structures and cultural practices within the eco-village.
2. Retention and Adaptive Reuse: Promote the adaptive reuse of historic buildings for community purposes, such as educational centres or cultural spaces.
3. Sustainable Economic Development
 - Micro-Enterprise Focus: Support the establishment of small businesses and micro-enterprises within the village to create jobs and stimulate local economic growth.
 - Social Enterprise Model: Develop a social enterprise framework where profits are reinvested into community projects, education, and environmental initiatives.
4. Environmental Sustainability
 - Conduct a full EIA
 - Green Infrastructure: Prioritise green building practices, renewable energy sources, and sustainable landscaping to enhance ecological health.
 - Urban Agriculture Initiatives: Encourage urban farming projects that provide food security while promoting community engagement and education.

5. Public Spaces and Accessibility

- Community Park Development: Create public parks and recreational areas that are accessible to all residents, enhancing community well-being and social interaction.
- Pedestrian-Friendly Design: Ensure that the layout promotes walkability, with safe pathways connecting residential areas to communal spaces.

6. Tenant Protections: Advocate for policies that protect existing tenants from displacement due to rising property values or redevelopment pressures.

7. Education and Skills Development

- Training Programmes: Implement vocational training programs in partnership with local organisations to empower youth and unemployed residents with skills relevant to the local economy.
- Community Workshops: Offer workshops on sustainability practices, entrepreneurship, and heritage conservation to foster a knowledgeable community.

8. Monitoring and Evaluation

- Ongoing Assessment: Establish mechanisms for monitoring the impacts of development on the community, environment, and heritage over time.
- Feedback Loops: Create channels for continuous feedback from tenants regarding the effectiveness of implemented strategies.

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15 Annexures (add these if they are here otherwise omit this section)

1. Robin Trust Letter
2. Summaries of Interviews

1. Robin Trust Letter

8 October 2024

THE CITY OF CAPE TOWN
TO WHOM IT MAY CONCERN

Dear Reader,

RE: Objection to development of Oude Molen Eco Village, Pinelands, Cape Town

We at Robin Trust are reaching out to you with a heartfelt plea on behalf of our community and the countless lives we touch every day. For 30 years, our non-profit organization has been a beacon of hope, providing excellent nursing and home-based care rooted in our Christian ethos of compassion and service.

Our journey began in 1993 when nurse Leslie McLeod-Downes, inspired by her daughter Robyn's need for specialized care, recognized a critical shortage of qualified carers in Cape Town. From this personal challenge, Leslie birthed a vision that has since blossomed into a vital community resource.

Today, Robin Trust embodies the profound impact that compassion, dedication, and community spirit can have in transforming countless lives. We've transformed abandoned buildings in the Oude Molen Eco Village into a thriving hub of care and education. Our sub-acute facility, Alzheimer's unit, and Home-Based Care College work in harmony to provide comprehensive health services and empower individuals through education.



We are a team of dedicated professionals united by one goal: providing skilled and compassionate healthcare to our clients. Our services range from home-based care to medical rehabilitation at our sub-acute facility. In 1994, we moved into Oude Molen Eco Village, renovating six dilapidated buildings with the generous help of the Rotary Club and Pinelands churches.

The impact of our work resonates far beyond our walls:

1. We've trained over 11,000 caregivers and 1,700 nurses, many of whom started as care course students.
2. We employ 410 individuals, including 350 caregivers from disadvantaged areas, paying approximately R12 million in annual wages.
3. Our BBBEE Level 1 rating reflects our commitment to economic transformation.
4. We've witnessed 500 caregivers become registered nurses, while others have become social workers, psychologists, or started their own agencies.
5. We contribute to community development by creating jobs, empowering individuals, and improving community health.
6. Our training programs address South Africa's need for skilled workers, helping to reduce poverty and meet national development goals.

Our location within Oude Molen Eco Village is crucial. The integrated nature of our facilities allows students to complete practical skills in our sub-acute hospital and frail care facility with easy access to college lecturers. The village's proximity to Pinelands train station and Vincent Pallotti Hospital makes it accessible for learners from previously disadvantaged areas.

However, we now face a critical juncture that threatens the very existence of Robin Trust and the vital services we provide. The proposed development in our area could force us to close our doors, leading to devastating consequences:

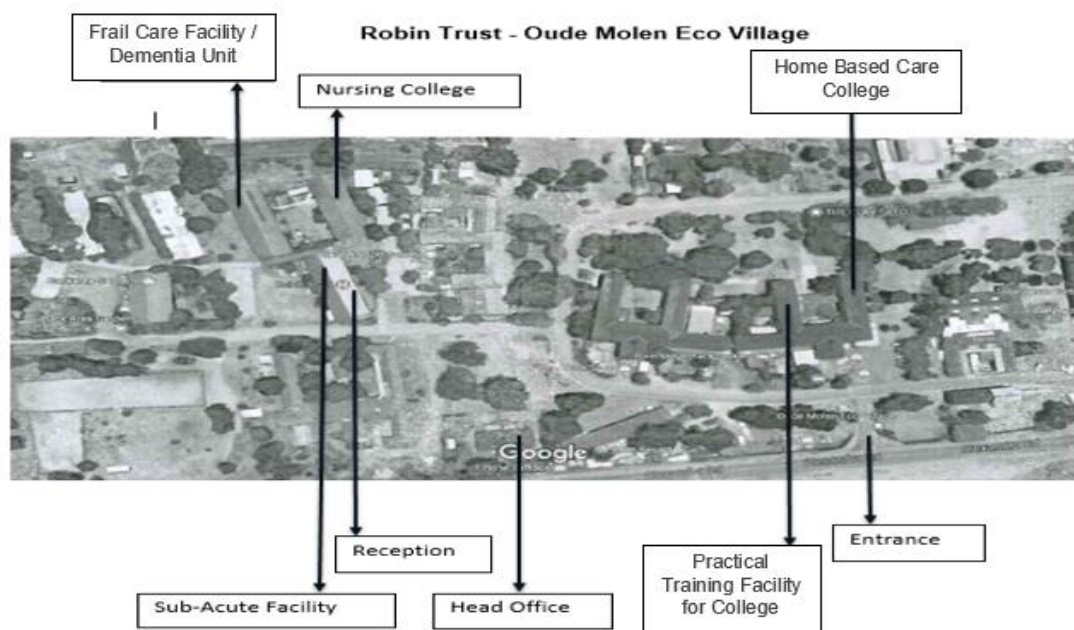
1. 23 Alzheimer's patients would be displaced, with no suitable alternatives available. Moving these vulnerable clients could be seen as elder abuse by the Department of Social Development.
2. Our training college would shut down, depriving students of affordable education opportunities. This includes those without matric, who currently can enroll from Grade 10.
3. 300 community caregivers would lose their livelihoods, impacting countless families. These carers earn an average of R9000 per month.
4. 410 staff members would face retrenchment, a financial burden we cannot bear.
5. Our sub-acute unit, which we upgraded last year at a cost of R1.8 million to include 18 beds and 4 new permanent staff, would be lost.
6. We would lose government support and bursaries for student training, making courses unaffordable for many.

We implore you to consider the profound ripple effect of our potential closure. Robin Trust is more than just a care facility or a college – we are a lifeline for thousands, a pathway out of poverty, and a cornerstone of community health improvement.

Your support in allowing us to continue our mission is not just about preserving buildings; it's about safeguarding dreams, protecting vulnerable lives, and investing in the future of our community. We ask for your help in ensuring that the legacy of compassion and empowerment that Robin Trust has built over three decades can continue to thrive and transform lives for generations to come.

Yours sincerely,

Corlea Viljoen
GENERAL MANAGER
ROBIN TRUST



2. Summaries of Interviews

The following are the key issues highlighted by OMEVTA and stakeholder members:

7.1.2.1 OMEVTA – Chairperson: Dan Nesor

Dan Nesor, Chairperson of OMEVTA, has articulated several pressing concerns regarding the development of the OMP. These issues encompass lease expirations, heritage considerations, environmental impacts, and the role of government in land management. Below follows a summary of these concerns.

1. Lease Expirations and Tenant Vulnerability - The expiration of lease agreements for tenants poses a significant risk, leaving them exposed and vulnerable to potential evictions as development progresses. There is a pressing need for clarity on whether leases will be terminated to facilitate new commercial developments.
2. Heritage Considerations - Living Heritage: The current draft HIA lacks adequate recognition of living heritage within the OM area, especially equine-led therapy and the partnership between OMEVTA and the Maitland Garden Village through the Swimming Pool project. This oversight raises concerns about the preservation of cultural and historical significance in light of proposed developments.
3. Heritage Grading Process: There is a need for transparency regarding the heritage grading process. It is crucial to ensure that all heritage resources are appropriately assessed and protected under the NHRA and that the national and Provincial Heritage nomination processes underway be respected before any development can proceed.
4. Environmental Impact - The proposed development site serves as a vital green lung for the community. Destroying these natural resources in favour of commercial interests is unacceptable and contradicts sustainable development principles.

5. Public Participation and Government Accountability - Inadequate Public Participation: The PPP surrounding these developments have been insufficient, failing to engage community voices effectively. This lack of meaningful consultation undermines trust in government actions.

6. Custodianship of Land: There is a growing sentiment that the government is acting more as a partner to commercial interests rather than as a custodian of public land on behalf of South Africans. This shift raises concerns about prioritising profit over community welfare.

7. Future Development Implications - Maitland Garden Village: There are fears that Maitland Garden Village may be at risk of disappearing due to these developments, which could displace long-standing residents and alter the community fabric.

8. Staff Housing for Amazon?: Questions have arisen regarding whether the OMP development is primarily intended for staff housing for Amazon, raising concerns about the alignment of such projects with community needs.

9. Economic Viability and Collaboration - Economic Viability: The WCG must be transparent about the economic viability of the OMEV and explore collaborative efforts with OMEVTA to enhance its sustainability. It will require a team of eco-professionals to reimagine the eco-village.

Role of Eco-Professionals: To achieve economic viability, there is a need for a team of eco-professionals to be involved in reimagining the future of OM, ensuring that developments align with sustainable practices and community needs.

10. Government's Role: The WCG should focus on supporting the potential of OM as a robust eco-village rather than marginalising tenants and destroying it. This includes recognising its value beyond mere land sales for rates and taxes. There are many vacant lots that can fulfil the housing or commercial needs in Cape Town.

11. PAJA compliance – He has raised concerns regarding WCG's adherence to PAJA. He argues that public participation processes have been superficial and lack meaningful engagement with tenants regarding how their inputs were integrated into current processes.

- PAJA mandates transparency, accountability, and fair procedures in administrative actions.

OMEVTA is calling for urgent written feedback on past public participation processes, specifically the 2021 process. In addition, clarity on how tenant inputs were considered and integrated into the decision-making framework, as well as the metrics used for evaluating these contributions. This lack of engagement not only undermines the principles of PAJA but also erodes public trust in government operations.

Neser asserts that without proper implementation of PAJA's provisions, citizens are left vulnerable to arbitrary administrative actions. He calls for the WCG to take immediate steps to comply with PAJA, emphasising that doing so is essential for restoring public confidence and ensuring a more transparent and fair administrative system that respects the rights of all individuals.

This lack of meaningful public participation raises questions about compliance with the PAJA, which mandates transparency and accountability in administrative actions. Neser emphasises that without proper stakeholder engagement and feedback mechanisms, the process appears to be a superficial exercise rather than a genuine effort to incorporate community voices.

12. Vision for the Future - Balanced Development: Neser supports development but insists it must occur with meaningful public participation. He advocates for a balanced approach, allowing some development on the east side while preserving the character of the west side.

Scenario C Plan: He emphasises the need to revisit and implement Scenario C, which has been abandoned, ensuring that OM retains its public open space character.

13. Zoning for Exclusive Housing: The current zoning primarily favours exclusive housing, with only 34% designated for social housing. This imbalance raises concerns about the lack of community facilities such as workshops, schools, and equine-led therapy programmes.

14. Cape Health Technology Park – Clarity is sought regarding the relationship of a technology park and its relationship to Biovac. Furthermore, has the WCG been in discussions with any potential investors or developers?

7.1.2.2 OMEVTA – Co-chairperson: Faiez Evans

Faiez Evans was emphatic that the PPP surrounding HIAs in Cape Town has been a significant point of contention among community members and stakeholders. Many argue

that the current framework is more about disseminating information (informational) than fostering genuine dialogue between the government and the community.

a. Here are some key aspects of the concerns raised:

i. Lack of Genuine Consultation - Pre-Determined Outcomes: Community members often feel that decisions regarding development projects are made prior to any public meetings. The presentations typically outline what has already been decided, rather than soliciting input on potential impacts or alternative solutions.

ii. Limited Engagement: The process tends to focus on informing the public (Informational) about what will happen rather than engaging them in meaningful discussions. This creates a perception that community voices are not valued or considered in the decision-making process.

iii. Heritage and Cultural Significance - Neglect of Local Heritage: Evans emphasises that developments frequently overlook the historical and cultural significance of local areas. HIAs often minimise the importance of existing communities and their contributions to the local culture, leading to a risk of erasing valuable historical narratives.

iv. Displacement Concerns: There is a palpable fear among residents that new developments will lead to displacement. The focus on economic growth often overshadows the need to protect existing communities, which have invested time, resources, and emotional ties to their neighbourhoods.

v. Socio-Economic Disparities - Inequitable Development: It appears that current policies favour developers and market-driven wealthy investors at the expense of marginalised communities. The prioritisation of profit over people can exacerbate existing socio-economic disparities, leaving vulnerable populations further disadvantaged.

vi. Public vs. Private Interests: The perception that government entities act more like landlords than representatives of the people and custodians of the land raises concerns about accountability and transparency. Decisions seem to prioritise private interests over public welfare, undermining trust in local governance.

b. Recommendations for Improvement

i. Genuine Dialogue: A more effective PPP should include open forums where community members can voice their concerns, ask questions, and propose alternatives. This could

involve workshops or town hall meetings that encourage interactive discussions rather than one-way presentations.

ii. Inclusive Representation: Ensuring that all community voices are heard - especially those from historically marginalised groups - is crucial. This may involve creating stakeholder forums that include representatives from all interest groups within the community.

iii. Transparent Processes: Clear communication about how public input will influence decision-making is essential. Providing feedback loops where community suggestions are acknowledged and incorporated into plans can enhance trust and engagement.

iv. Focus on Education: Educating both government and community members about heritage conservation and its importance can foster a shared understanding of why certain areas should be preserved.

v. Regular Assessments: Ongoing evaluations of how developments impact local heritage and communities can help ensure that future projects align with community needs and values.

vi. Eco-tourism and economic potential of OMP - Evans has highlighted the economic potential of the OMEV, particularly its capacity to generate income through eco-tourism that could rival established attractions like Kirstenbosch Gardens. He advocates for mobilising the entire Western Cape population—potentially through a referendum or other means—to influence planning and development decisions affecting their communities.

vii. Rondebosch Common - Evans questions why Rondebosch Common is not earmarked for development similar to areas like OMP, suggesting that this may reflect a more sophisticated form of apartheid spatial planning. This concern stems from the perception that certain areas are prioritised for development while others, particularly those in historically affluent suburbs are overlooked. The implications of this selective development can perpetuate socio-economic inequalities and limit opportunities for local residents.

viii. Sophisticated Apartheid Spatial Planning - The notion that current planning practices mirror apartheid-era spatial strategies is concerning. Evans argues that these practices favour affluent developers and investors at the expense of marginalised communities. By not recognising the living heritage value of places like OMP, decision-makers may inadvertently reinforce historical inequities, sidelining community voices in favour of profit-driven agendas.

ix. Recommendations for Public Engagement - To address these issues, Evans advocates for:

-Inclusive Decision-Making: Engaging the broader population in planning processes to ensure diverse voices are heard. (Referendum or other broad-based consultation).

-Heritage Recognition: Acknowledging and protecting areas with significant cultural and ecological value like OMP within TRUP.

-Equitable Development: Ensuring that development projects consider the needs and histories of existing communities rather than prioritising profit.

7.1.2.3 Indigenous Khoesan Perspective: Chief Aran Goringhaicona Khoe people)

The Goringhaicona Khoena Peace Park (GGPP) is an initiative focused on restoring and managing the TRUP, particularly the Green Corridor surrounding the OMEV. This proposal aims to uplift the Goringhaicona Council and its members while benefiting other legitimate groups in the Cape region. Chief Aran has highlighted the historical significance of the furnace used during colonial oppression, the strategic importance of the kraal, and the context of South Africa's first mill. These elements underscore the necessity of establishing a cultural peace garden dedicated to rehabilitating both nature and community dignity. The GGPP seeks to create a cultural peace garden that includes huts, braai spots, a museum, and an information centre, serving as a gathering point for education and cultural exchange.

The GGPP addresses significant historical injustices faced by the Goringhaicona, later known as the Goringhaicona Khoena, who were the first farmers in the area. The OMEV is rich in history, having been the site of tragic events, including the burning of Khoe individuals resisting enslavement, and it hosted one of South Africa's first mills built by the Dutch East India Company in 1693. The GGPP aims to achieve several key objectives: cultural restoration, environmental conservation, community empowerment through workshops on traditional crafts, economic development via eco-tourism initiatives, and youth engagement through educational programs. This initiative emphasises collaboration with local businesses to create a biodiverse cultural village while asserting the Goringhaicona Khoena's legal rights to their land amid ongoing challenges from state policies favouring commercial exploitation. In contrast to proposed high-density zoning developments that prioritise commercial interests, the GGPP promotes ecological sustainability and cultural

preservation, fostering community resilience and addressing pressing social issues such as mental health and economic empowerment.

7.1.2.4 OMEVTA / Yes We Can Foundation – Rod Solomons

Rod Solomons, a member of OMEVTA, provided a strategic overview of concerns regarding the current HIA during a recent interview. He confirmed the interim submission of a draft Response Document by 26 October 2024 and the deadline of 31 October 2024 for OMEVTA's response to the HIA dated 10 September 2024, stressing that the report must be based on and incorporate insights from tenant - and stakeholder community - interviews within the OMP community.

Need for Comprehensive Assessment: For stakeholders to engage meaningfully, it is crucial that both heritage and development considerations are addressed comprehensively in this response. OMEVTA emphasises that without a balanced approach, stakeholders cannot provide informed feedback.

Solomons highlighted that previous consultation processes had yielded no feedback, raising questions about how the current process will connect with these past efforts, particularly regarding OMEVTA's unresolved concerns not addressed in the 2024 HIA. During the Open House on 10 September 2024, he noted that "the consultants presented everything but heritage," indicating that OMEVTA's response must extend beyond heritage considerations alone.

Focus on Development Over Heritage: During the meeting on 10 September 2024, Solomons observed that the consultants primarily discussed development issues, with little emphasis on heritage impacts. This imbalance raises concerns about the thoroughness of the HIA process and its ability to address all pertinent factors.

He expressed the view that the OMP serves as a much-needed green lung on the edge of the CBD, possessing significant heritage and historical value, particularly for First Nations communities – Solomons is advocating for the preservation of green spaces amidst redevelopment pressures.

Solomons expressed particular interest in understanding how the proposed redevelopment of OMP relates to housing provisions for Amazon staff and questioned how Utility Zoning was approved without stakeholder consultation. He pointed out potential conflicts between declaring OMP a Provincial and National Heritage site and the high-

density redevelopment plans, emphasising the importance of living heritage and the need to investigate existing burial sites.

He also critiqued the socio-economic report, identifying weaknesses that warrant further scrutiny, especially concerning how terms like "mixed-use" and "social housing" may mask gentrification issues. Solomons called for input from various communities, including Pinelands, Salt River, Rondebosch, and Maitland Garden Village, to explore their concerns about gentrification and its potential impacts on these areas.

The extension for stakeholder input into the Oude Molen HIA process highlights ongoing tensions regarding how both heritage and development impacts are assessed. Solomons' critique underscores the necessity for a more integrated approach that adequately addresses all relevant issues. For stakeholders to feel genuinely involved and valued in the process, it is essential that their concerns about both heritage and development are actively acknowledged and incorporated into decision-making.

7.1.2.5 Observatory Civic Association – Leslie London

Leslie London, a Professor at UCT and chair of the Observatory Civic Association, has voiced strong opposition to both the River Club and OMP developments in Cape Town, emphasising their implications for heritage preservation, environmental integrity, and community welfare.

a. Key Aspects of Leslie London's Views - Heritage Preservation - London argues that both sites hold significant historical value. He highlights their connection to the indigenous Khoe people, and he stresses the importance of maintaining its cultural landscape. He criticises the inadequate consideration of heritage indicators in both developments, asserting that these should guide planning to protect local history.

b. Environmental Concerns - The River Club's location on a floodplain raises alarms about potential ecological damage. London believes that environmental assessments have not been sufficiently rigorous. Similarly, he expresses concern over the proposed high-density development at OM, fearing it could overwhelm existing community initiatives and disrupt local biodiversity. He calls for a proper EIA to be conducted.

c. Public Participation - London emphasises that genuine public engagement has been lacking in both projects. He argues that community voices must be prioritised in decision-making to ensure that developments reflect local needs and concerns. He has called for transparent processes that allow for meaningful stakeholder involvement, particularly from

marginalised communities. He again echoes so many other OMEVTA members that the current PPP is a mere tick-box exercise to endure and then ignore.

d. Political Dynamics and Accountability - London views the current OMP development as a situation that should be understood through the lens of Crispian Olver's non-fiction contributions. Olver's work highlights the collusion between large construction corporations and government entities, particularly in the context of the Eastern Cape and Western Cape. He argues that this collusion significantly influences the landscape of development, framing it as a critical factor in understanding ongoing projects and their implications for governance and public trust. He says this potential collusion between developers and city officials in both cases, where economic interests often overshadow community welfare should be top of mind. London, like others - is also interested to know if the WCG has already entered into negotiations with a potential developer. He indicated that the WCG could use the land opposite the OMP – currently a parking lot – as social housing if it is serious about social housing and maintain the eco-village environment. (Author's note: This could be the area – the parking lot adjacent to Pinelands Station that is contained in the Burls Report earmarked for social housing. This needs confirmation from the HIA professionals.)

He advocates for greater accountability from government officials to ensure that development practices prioritise heritage conservation and environmental sustainability. London suggests that Crispian Olver's books are instructive to read to understand how big corporates have captured government across the political spectrum.

e. Community Impact - In the case of OMP, London highlights how the existing eco-village provides jobs and food security to local communities. He warns that new developments could jeopardise these essential services. He supports community initiatives aimed at preserving the unique character of OM while advocating for responsible development practices.

f. Legal and Advocacy Efforts - London refers to heritage as a mitigating exercise as is reflected in so many of the current package of HIAs. As long as the WCG acknowledges heritage and accommodates it in terms of mitigating measures like a media centre or cultural walks as opposed to pursuing retention and adaptive reuse strategies - it can proceed with irresponsible and contested developments. London is actively involved in legal challenges, seeking to halt or reconsider aspects based on procedural irregularities and non-compliance with heritage laws. His advocacy efforts aim to raise awareness about

the importance of sustainable urban planning that respects both cultural heritage and environmental integrity.

g. Call for Sustainable Development - London envisions a future where urban development in Cape Town balances growth with heritage preservation and ecological sustainability. He argues that developments should enhance community well-being while respecting historical contexts.

Leslie London's perspectives on the River Club and OMP developments reflect a broader struggle against urban expansion at the expense of heritage and environmental integrity in Cape Town. His advocacy underscores the need for responsible governance that prioritises community engagement, ecological sustainability, and respect for cultural heritage in any development initiative.

7.1.2.6 TRUPA Chairperson / OCA member – Marc Turok’s Perspective on TRUP and the Oude Molen HIA

a. Summary of Interview

As community members living in and near TRUP, we are increasingly concerned about the future of this vital public space. The TRUP is not just a park; it embodies our shared history, cultural identity, and community values. The River Club/Riverlands Project and recent proposals for commercial developments and infrastructure projects particularly in the OMP - threaten to encroach upon this space, potentially limiting access for residents and undermining its ecological and cultural significance. He urges the WCG to engage in a genuine PPP that focuses on a balanced approach to reimagining OMEV.

b. Timeline of Policy Framework Related to TRUP

Provisional protection measures were established to safeguard TRUP from development threats. Aiken Report: Aiken and Associates conducted a Contextual Framework and Phase 1 report that identified TRUP as a historically evolved landscape. The report emphasised its cultural and historical significance, recommending further research and community engagement in heritage management processes. However, we remain sceptical about their effectiveness and whether they truly reflect our needs as tenants.

c. 2021 - Grade I and II Heritage Status Discussion:

Discussions about elevating TRUP's status to Grade I and II have begun. While we strongly support this initiative, we worry that without genuine public participation, these discussions will not address our concerns or those of other stakeholders.

d. Concerns Regarding Public Participation:

As community members, we feel that PPP surrounding TRUP have become almost meaningless. Although there are opportunities for us to voice our opinions, it often feels like our concerns are not reflected in decision-making processes. Stakeholders have indicated that TRUP must remain a public space

- Lack of Representation

Our voices are frequently drowned out by larger interests that prioritise development over community needs. We do not see our perspectives adequately represented in discussions or decisions affecting TRUP and now the OMP.

- Impact on Decisions

Despite assurances that public input will be considered, many of us feel that decisions continue to favour development projects rather than preserving the park as a communal space. This has led to growing frustration among residents who value TRUP as an essential part of their lives.

- Need for Genuine Engagement

We urge decision-makers to prioritise authentic engagement with community members. This means actively listening to our concerns and ensuring that they inform planning processes rather than merely serving as a checkbox in bureaucratic procedures.

e. TRUP is a cherished public space that holds immense cultural and historical significance for us as community members and for the tenants. While there have been important developments regarding its heritage status, we remain deeply concerned about how these discussions impact our lives. It is crucial that public participation becomes meaningful and reflective of our voices so that TRUP can be preserved as a vibrant community space for generations to come. We call on the WCG to genuinely engage with us and ensure that our concerns are prioritised in future decisions regarding this vital area.

As tenants and community members living near the Two Rivers Urban Park (TRUP), we are increasingly alarmed by the ongoing developments and decision-making processes surrounding this vital public space. TRUP is not just a park; it serves as a communal

gathering place, a recreational area for families, and a historical site that reflects our cultural heritage, particularly for indigenous communities like the Khoisan. Recent proposals for commercial developments and infrastructure projects threaten to encroach upon this space, potentially limiting access for residents and undermining its ecological and cultural significance.

f. Living Heritage

Tangible and Intangible Assets - The notion of living heritage is crucial in understanding the significance of TRUP in our lives. Living heritage encompasses both tangible and intangible assets that contribute to our community's identity and continuity.

•Tangible Assets

These include physical elements such as historical buildings, landscapes, and artifacts within TRUP. For example, the remnants of colonial farms, hospitals, and reformatory institutions serve as reminders of our shared history. The park's natural features - like the riverine landscapes - also hold historical significance, reflecting the ecological practices of indigenous peoples who lived in harmony with the land.

•Intangible Assets

Living heritage also involves the cultural practices, oral histories, and community traditions that continue to thrive within TRUP. These narratives are vital for understanding our collective identity and fostering connections among residents. For instance, community gatherings, storytelling events, and traditional ceremonies that take place in TRUP are expressions of living heritage that reinforce our social fabric.

Despite assurances from stakeholders that TRUP must remain a public space, we feel our voices are often marginalised in discussions about its future. While there have been public meetings intended to gather input from residents, many of us believe that our concerns about preserving green spaces, protecting local wildlife habitats, and maintaining cultural heritage sites are not adequately addressed or reflected in the outcomes of these discussions.

g. Concerns About Development

The proposed commercial developments threaten not only the physical landscape but also the living heritage that defines our community. The potential loss of access to these spaces could diminish our ability to engage in cultural practices that connect us to our history and

each other. Furthermore, without genuine consideration of living heritage in the HIA, we risk losing both tangible and intangible aspects of our identity.

The concept of living heritage is essential for understanding the significance of TRUP and more especially the OMP as a community space and eco-village. It emphasises the importance of both tangible assets - like historical structures - and intangible assets - such as cultural practices - in shaping our collective identity. As community members and tenants, we urge decision-makers to prioritise these elements in any development plans to ensure that TRUP and the OMP remains a vibrant public space that honours our heritage and serves future generations 100, 200 1000 years and more into the future.

h. Vision for the Future of OMEV

(Email: 8 Oct 2024): Scenario C Preserved Park Vision as updated but still needing additional consultation - This vision of OM is for further discussion and consultation purpose. Its intent is to propose a balanced concept of adding an active edge on Alexandra Road, keeps the character of the ring road as the well-used access to the south-east of TRUP, with moderate but effective upgrade of existing significant buildings, but not intruding to the west of the OMP that should preserve its natural quality, improving its use & heritage character as the gateway to TRUP. No additional intrusive building footprint that destroys the existing open space heritage, particularly not west of the ring road, nor addition of large buildings anywhere other than to try to screen the existing large buildings on the south!"

Heritage is not only saving a few significant buildings as heritage objects! Its recognising the highly significant Integrated Cultural Landscape of OM as part of this broad Historical Riverine Edge as the gateway to the Peninsula, vistas over the river, the significant spine land between the rivers and the Sacred Hoeriqwaggo mountain. The access route in & out of the peninsula went through OM that had the crossing of Black River to its north west & had a 'Kraal'. When the First Frontier War evicted the Khoena from their sacred places, OM became the remaining presence until the Dutch pushed them out further & further. OM was the first colonial settlement east of that First Frontier (& the first east of Black River). It was the beginning of the end of Traditional Khoena life in the Cape! It has never been healed! Protection of Our Heritage is Protection of this Cultural Landscape as Natural Open Space, connected to the Sense of Place as it is integrated into the general backdrop of Riverine & mountain context... This preserved Our Heritage Story, assisting to heal our past & enable a better future!

There are substantial tracts of land where appropriate development can and should happen! Not by destruction of TRUP! TRUP must be restored preserved & protected as a National Heritage Site! See previous consulted Policy & Common Manifesto which Scenario C Preserved Park Principles were based on. We were not against well-conceived development on appropriate Sites... Not Destructive of Significant Heritage nor Sensitive Environment! Development should be in line with all Good Planning Policy, not destructive of Heritage or Environment!..."

7.1.2.7Tauriq Jenkins

Jenkins raises a number of critical issues that underscore a broader conversation about equity, justice, and sustainable development in land management practices, His critical lens focuses on Cape Town but also further afield in South Africa and globally. He raises several issues regarding land use and public spaces as well as consultation processes, particularly in the context of indigenous rights and community participation. He states that the WCG in particular circumvent necessary protocols for public participation and First Nations' rights. Many residents have objected to these processes, fearing that they prioritise development over community needs and environmental protection.

Here are the main points:

Circumvention of Protocols: Jenkins argues that the current consultation processes bypass established protocols for public participation, particularly those that involve First Nations communities. This undermines the legitimacy of the decision-making process.

Access and Rights: He highlights concerns about access rights, especially in relation to land use agreements. Jenkins emphasises that historical agreements regarding land access are being disregarded, which affects the legal standing of those agreements.

Development vs. Community Needs: Jenkins points out a conflict between development interests and community needs, suggesting that developments often prioritise profit over the well-being of local communities, particularly marginalised groups. He says the OMP rezoning is part of a "domino effect" of prioritising profit over public good.

Environmental Concerns: He raises alarm about environmental degradation resulting from unchecked development, stressing the importance of preserving natural habitats and respecting indigenous lands.

Lack of Genuine Consultation: Jenkins critiques the superficial nature of consultations, arguing that they often fail to engage meaningfully with affected communities, leading to decisions that do not reflect their interests or concerns.

Historical Context and Justice: He calls for acknowledgment of historical injustices faced by indigenous communities, advocating for a more equitable approach to land use that recognises their rights and contributions to environmental accountability.

Heritage Concerns: He emphasises both tangible and intangible heritage, asserting that the land in question holds significant cultural and historical value. Jenkins believes that the sale of this land undermines the preservation of local heritage.

Eco Village Principles: He highlights the principles embedded in the OMP, which promote sustainability and community well-being. He argues that these principles are at risk due to the WCG's focus rezoning land for development.

Living Heritage of Schools and Horses: Jenkins discusses the integration of equine-led therapy within educational frameworks like Montessori and Waldorf schools. He believes these approaches promote sustainability and community well-being, aligning with the eco-principles that should guide land use decisions.

Heritage Processes: He critiques the National and Provincial heritage processes, noting that they often fail to adequately protect significant sites. Jenkins highlights that the Provincial Heritage Resources Authority must play a more proactive role in safeguarding heritage resources, particularly during contested developments.

Diversity as Strength: Jenkins describes OM as a microcosm of South Africa showcasing its diverse communities. He asserts that this diversity enriches local culture and should be respected in planning processes.

Tone-Deaf Engagement: He criticises the WCG for being "tone deaf" to previous engagement processes, indicating a disconnect between government actions and community voices. Jenkins calls for genuine consultation with affected communities to ensure their concerns are addressed to promote sustainability and engages communities meaningfully in decision-making processes.

Indigenous Knowledge Systems (IKS): Although the HIA acknowledges spaces for rituals and cultural expressions linked to IKS, there is concern that these practices may not receive adequate support or recognition in the broader development context. The integration of

IKS into planning processes should be prioritised to ensure that indigenous voices are heard and respected.

7.1.2.8 Oude Molen Stables – Kendre Allies and Georgie Ravenscroft

a. Kendre Allies and Equine Healing: The Oude Molen Stables focus on community development, mental health and environmental conservation - particularly through agricultural programmes aimed at engaging youth and promoting sustainable practices. The Oude Molen Stables has initiated programmes to help young people avoid negative influences by involving them in gardening and animal care, fostering leadership skills, and promoting a sense of responsibility within the community. The Oude Molen Stables places a strong emphasis on the importance of heritage, with discussions about maintaining cultural identity amidst development pressures. Allies and Ravenscroft also focus on economic challenges faced by the community due to potential high-density developments. They emphasise that local residents and OMEVTA should benefit from any economic activities rather than being displaced or marginalised. They want to advocate for development that respects the existing community and environment, emphasising that changes should not compromise the integrity of the eco-village or its inhabitants.

b. NGO model: The OMEV is not currently operated as an NGO, but Ravenscroft suggests that adopting an NGO model could provide significant benefits, including improved community support, access to funding opportunities, a stronger emphasis on sustainability, and enhanced collaboration with other organisations. The interviewee highlights the unique heritage and identity of the eco-village, which has developed over the past 50 years, and expresses concern about the potential negative impacts of high-density developments on the community.

Allies, owner and manager of the Oude Molen Stables, has dedicated his life to rescuing and rehabilitating horses. He operates a riding school that integrates these animals into therapeutic programmes for at-risk youth and individuals with mental health challenges. His journey from troubled youth to community leader illustrates the profound healing power of horses. Allies emphasises that working with these animals has not only helped him find purpose but also provided a pathway for others to heal and grow.

Allies and Ravenscroft stressed that the HIA on the OMEV should highlight its unique contributions to the community, emphasising its role in preserving local culture and

environment. They argue that if replaced by high-density buildings as contained in the mixed-use rezoning development plans, there could be significant loss of green space and community identity. They stressed the biodiversity being under threat especially the leopard toad and that government planners need be mindful of this.

The Eco Village, established over 30 years ago, provides essential social services and promotes sustainable practices that benefit both residents and visitors. Its development must consider these factors to avoid detrimental impacts on the community and heritage integrity. The OMEV serves not only as a living community but also as a cultural and ecological landmark.

The silence on this aspect of heritage of the OMP HIA is very disconcerting denying the living heritage contribution of the Oude Molen Stables to the Eco Village.

The OMEV embodies Living Heritage, representing a fusion of cultural practices, community resilience, and ecological responsibility. This concept is vividly articulated by Kendre Allies and Georgie Ravenscroft, who emphasise the therapeutic value of the programmes offered, especially in light of increasing global mental health challenges.

Therapeutic contribution to Living Heritage - October is recognised as Mental Health Month, a time to address the increasing mental health challenges faced by many. The OMEV, through its OM Stables offers essential therapeutic services that contribute significantly to community well-being. However, proposed development plans threaten to eliminate these vital services, undermining the Eco-Village's role as a living heritage site dedicated to holistic health and community support.

The OMEV has evolved into a vibrant community that provides jobs, food security, and youth development (Kendre Allies). Its therapeutic offerings are crucial for those struggling with mental health issues, yet the impending changes could disrupt these services, impacting many individuals who rely on them for support and healing. Research indicates that interactions with horses can significantly alleviate symptoms of anxiety, depression, and trauma. For individuals participating in these programmes, the horses serve as non-judgmental companions that facilitate emotional expression and healing.

Allies highlights the significant role horses play in therapeutic programmes at OM. The OM Stables integrates rescued horses into equine-assisted therapy, offering healing experiences for individuals facing mental health challenges. This approach is particularly relevant today as mental health issues rise globally.

Healing Through Rescue: Kendre Allies emphasises that approximately 90% of the horses at OM are rescues. This act of rehabilitation not only saves the horses from neglect or abuse but also provides them with a second chance at life. The process of rescuing and rehabilitating these animals' mirrors Allies' own journey from a troubled youth to a community leader, showcasing how transformative experiences can foster healing.

Support for At-Risk Youth: Programmes designed for at-risk youth provide mentorship and skill-building opportunities. By engaging with horses and participating in community activities, these individuals gain confidence and a sense of purpose, which is crucial for their development.

Educational Opportunities: The stables offer educational programmes that teach participants about animal welfare, responsibility, and empathy. By learning to care for these rescued horses, individuals develop a deeper understanding of compassion and stewardship towards both animals and the environment.

Community Engagement: The presence of these horses fosters community involvement. Local youth, particularly those at risk or facing challenges, engage with the horses through riding lessons and care activities. This engagement helps build confidence and self-esteem while providing valuable life skills. Allies' commitment to involving young people in horse care and riding serves as a powerful tool for community upliftment.

Cultural Heritage: The integration of these horses into the Eco Village reflects a living heritage that values animal welfare and community support. Allies' work highlights traditional practices of caring for animals while adapting them to modern therapeutic needs, thus preserving cultural narratives associated with animal farming.

Holistic Well-Being: The Eco Village offers various wellness activities, including yoga and meditation classes, which complement the therapeutic benefits of equine programmes. These practices promote mental clarity and emotional balance, addressing the holistic needs of participants.

Archaeological Footprint: Ravenscroft was deeply committed to preserving heritage buildings older than 60 years, advocating for their rehabilitation and repair instead of defaulting to demolition for the sake of constructing high-rises.

Symbol of Resilience: The horses themselves are a testament to resilience - having overcome adversity, they embody hope and recovery. Their stories resonate with those in

the community who may be facing their own struggles, reinforcing the idea that healing is possible. This is a critical aspect for Oude Molen Stables.

Both Allies and Ravenscroft emphasised the significance of the rescued and rehabilitated horses at OM, many of which were born there, extends beyond their individual stories; they symbolise a broader narrative of healing, community resilience, and the therapeutic value of human-animal connections.

7.1.2.9 Maitland Garden Village - Gavin Jacobs: Vice-Chair of the Maitland Garden Village Residents Association: Community Concerns and Urban Development

Jacobs articulates several pressing issues regarding urban development in his area:

As the Vice-Chair of Maitland Garden Village, Jacobs has voiced strong opposition to the HIA for the OMEV. His objections are rooted in several key concerns:

1. Lack of Consultation - Jacobs emphasises that there has been insufficient consultation with the community regarding the proposed development. He believes that residents should have a significant voice in decisions that affect their living environment, and the absence of this dialogue undermines community trust and involvement.
2. Environmental Concerns - He raises alarm about potential environmental impacts, particularly on local wildlife and ecosystems. Jacobs points out that the area is home to various species, including the endangered Western Leopard Toad only found in this area and any development could disrupt their habitats. He argues that a full EIA should have been conducted to evaluate these risks comprehensively.
3. Infrastructure Strain - Jacobs highlights existing infrastructure challenges in Maitland Garden Village, noting that the current systems are already under pressure. He argues that adding more housing without addressing these issues will exacerbate problems related to traffic, public services, and overall quality of life for residents including future transport congestion.
4. Preservation of Heritage - Having lived in the area for many years, Jacobs has a deep personal connection to its history and development. He recalls how the community has evolved over time, particularly noting:

Historical Significance: Jacobs is concerned about preserving the historical character of the area. He notes that many buildings in Maitland Garden Village are over a century old and

represent a significant part of local heritage. He believes that new developments should respect and integrate with this history rather than overshadow it.

5. Community Identity - The proposed development threatens to alter the community's identity, according to Jacobs. He fears that an influx of new residents could change the socio-economic landscape, potentially displacing long-term residents and altering the cultural fabric of the neighbourhood.

He believes that any future development should involve comprehensive feedback from residents to ensure their needs are met.

6. Sustainability Issues - Jacobs advocates for sustainable development practices that prioritise existing community needs over profit-driven motives. He argues for solutions that focus on affordable housing while maintaining green spaces and community resources.

Gavin Jacobs' opposition to the OMEV development is grounded in a commitment to community engagement, environmental sustainability, and heritage preservation. His concerns reflect broader issues faced by communities grappling with rapid urbanisation and its impacts on local identity and ecological health.

7.1.2.10 Food Garden - Kobus Meiring

Background and Role - Kobus Meiring, initially a volunteer, became deeply involved in the OMEV's Food Garden after discovering its potential while seeking composting solutions. He dedicated three months full-time to the garden, focusing on composting, planting, and general maintenance. After securing a job, he continued to manage an allotment and expanded his involvement by running a composting organisation that collects food scraps from the community.

Vision for the Space - Meiring envisions the OMEV as a vibrant agricultural hub, emphasising the importance of preserving arable land. He believes that the potential for growth and sustainability is immense when the land is nurtured rather than paved over. His experiences in the garden inspire him to bring groups together to explore innovative ideas for community gardening and environmental stewardship.

HIA Insights - Meiring has been actively engaged in responding to the 2024 HIA conducted by Cindy Postlethwayt. His appeal focuses on several key areas:

Cultural History: He highlights the rich agricultural history of the land, countering claims in the HIA that suggest poor farming conditions. Historical maps indicate a long-standing tradition of agriculture in the area.

Tree Survey Discrepancies: Meiring points out significant errors in the tree survey, noting that it undercounts trees in established areas like the food forest.

Vision vs. Reality: He critiques a disconnect between the stated vision of creating eco-neighbourhoods and the practical implementation of development plans, which lack adequate green spaces and composting operations.

Previous HIAs: He notes inconsistencies between current and past HIAs, suggesting that prior assessments provided a more comprehensive view of agricultural land use.

Current HIAs – He observes that the current set of HIAs of and in itself is also part of the contestation and this is crucially not reflected in the current HIA. It is contested on many levels including the flawed one-way PPP where stakeholder inputs are not reflected in the HIAs, inaccurate information like the tree undercount.

Consultation Process and Transparency: Meiring has expressed frustration regarding the HIA process, particularly highlighting the lack of access to tender documents as well as the Bridget O'Donoghue HIA. He argues that this lack of transparency hinders effective stakeholder engagement and undermines the inclusion of community voices in decision-making. Despite extensive consultations, many stakeholders feel their perspectives were not adequately considered, raising concerns about the overall integrity of the process. This situation emphasises the need for better access to relevant documents and more meaningful participation from all affected parties to ensure that heritage considerations are fully integrated into development plans.

Living Heritage: He underscores the importance of recognising living heritage - community members who have historical ties to the land - and argues that their perspectives are crucial for understanding its significance.

-Reference to Horses: Meiring mentions that there is a lack of discussion about horses in the HIA, which he finds significant. He believes that including their historical presence could enrich the narrative of the site's contested history.

Consultant Availability: He expresses frustration over the inaccessibility of consultants to stakeholders, noting that when he sought clarity from officials, he was often referred back

to the Western Cape government. This lack of direct communication undermines trust and complicates stakeholder engagement, as it prevents meaningful dialogue about community concerns.

Future Considerations - Meiring advocates for a future where sustainable practices are prioritised over concrete developments. He believes that genuine community involvement and acknowledgment of historical context are essential for creating an inclusive and thriving environment at OMEV.

Recommendations

- Stakeholder Engagement: Ensure ongoing dialogue with community members to incorporate their insights into future planning.

Comprehensive Assessments: Conduct thorough evaluations of historical and cultural significance before proceeding with developments.

Transparency in Processes: Maintain open communication regarding tender processes and project developments to build trust within the community.

Meiring will submit a separate response to the HIA from the Food Garden perspective.

7.1.2.11 Robin Trust – Summary of Robin Trust Letter submitted separately as part of the response to the draft HIA

a. Robin Trust

The Robin Trust, a non-profit organisation located in OMEV has been a vital provider of nursing and home-based care for over 30 years. Founded in 1993 by nurse Leslie McLeod-Downes, the Trust was established to address a critical shortage of qualified caregivers in the region. It has since evolved into a key resource for the community, offering comprehensive health services, including a sub-acute facility and an Alzheimer's unit, alongside educational programs for aspiring healthcare professionals.

Robin Trust's impact on the community is significant. To date, it has trained over 11,000 caregivers and 1,700 nurses, many of whom began their journey as students in the organisation's training programs. The Trust employs 410 staff members, primarily from disadvantaged backgrounds, contributing approximately R12 million annually to local economies. Its commitment to economic transformation is reflected in its BBBEE Level 1 rating and its role in creating job opportunities while addressing South Africa's urgent need for skilled healthcare workers.

However, the proposed development within OMEV poses a serious threat to the Trust's operations. Key concerns include the potential displacement of 23 Alzheimer's patients who would have no suitable alternatives for care. The closure of the Trust's training college would deprive students of affordable educational opportunities, particularly those without matriculation qualifications. Additionally, approximately 300 community caregivers could lose their livelihoods, impacting numerous families reliant on these incomes. The potential retrenchment of all 410 staff members would further exacerbate the financial strain on the community.

The Trust also highlights that it recently invested R1.8 million to upgrade its sub-acute unit, which includes 18 beds and new permanent staff. The loss of this facility would significantly diminish healthcare services available to vulnerable populations. Furthermore, the proposed development could jeopardise government support and bursaries for student training programs, making education unaffordable for many aspiring healthcare workers.

b. WCG Department of Health budget cuts

The WCG Department of Health is currently facing significant financial challenges due to severe budget cuts, resulting in a projected shortfall of R807 million for the 2024/25 financial year. This shortfall comes amidst a backdrop of rising healthcare needs putting additional strain on an already pressured public health system. The department's budget has only increased by 2.5% compared to the previous year, while inflation rates for medical services have outpaced this increase, leading to a real decrease in available funding. As a result, the department is forced to limit services, implement hiring freezes for essential posts, and prioritise cost-saving measures, which may lead to longer waiting times and reduced access to care for patients.

In this context, the work of Robin Trust becomes even more crucial. As a dedicated provider of nursing and home-based care, Robin Trust fills critical gaps left by the constrained public health system. The organization not only offers essential health services but also plays a vital role in training healthcare professionals in the region. With the Western Cape's healthcare system under immense pressure from budget cuts and rising demand, Robin Trust's comprehensive approach to community health - through direct care services and caregiver education - provides invaluable support to vulnerable populations. The potential closure of Robin Trust would exacerbate existing healthcare challenges in the region, highlighting the organisation's importance as a lifeline for those in need.

Robin Trust emphasises that its closure would have profound repercussions beyond its immediate operations. It serves as a lifeline for thousands in the community and plays a crucial role in promoting health and well-being. The organisation urges stakeholders to consider the broader implications of their potential closure on public health and community welfare as they review the proposed development plans.

7.1.2.12 Kelly Mansfield

Kelly Mansfield is the manager of the Food Garden Village at Oude Molen Eco Village. She oversees the operations of this community initiative, which focuses on sustainable agriculture and education, including a permaculture garden that teaches local children about organic farming practices. Mansfield advocates for maintaining the eco-village ethos amidst proposed developments that could threaten its character.

7.1.2.13 Salt River Heritage Society

The Salt River Heritage Society was unable to provide a collective response at this time, as their next meeting is scheduled for November 2024.