

## **PUBLIC PARTICIPATION COMMENTS ON THE OUDE MOLEN PRECINCT – REVISED HERITAGE IMPACT ASSESSMENT AND ASSOCIATED ANNEXURES**

### **Summary:**

This submission objects to the Revised Heritage Impact Assessment for the proposed redevelopment of the Oude Molen Precinct on the grounds that the assessment remains incomplete, inaccurate, and non-compliant with the NHRA.

Despite the requirement from HWC that the revised HIA must meaningfully assess living heritage, which includes social value, and current community uses, the updated documents still omit entire categories of heritage resources and fail to apply the mandatory NHRA Section 3(3) significance criteria.

The precinct's organically developed social ecosystem constitutes living heritage. The HIA fails to assess this interconnected system and mischaracterises it as unplanned or non-heritage. Major community institutions are either entirely unassessed or marginalised as "legacy uses," despite clearly meeting multiple NHRA Section 3(3) criteria for cultural, social, educational, environmental significance and associative significance.

Preferred Alternative 4C would result in the complete displacement of these community assets, yet the HIA does not evaluate the social harm, cultural loss, or the implications for vulnerable groups, nor propose mitigation or alternatives that retain them.

The SEIA prioritises short-term construction benefits and omits key social harms. Its economic focus results in confirmatory bias and an incomplete assessment of real-world social costs.

The proposal's claims of "spatial transformation" are unsupported. Only a small fraction of housing will be genuinely affordable, while the vast majority of the development is profit-driven. Replacing a rare urban rural landscape with office blocks, malls, and dense housing will intensify dispossession, not reverse it.

The revised HIA defers essential heritage protections to future design stages and prioritises planning policy over heritage law. Its methodology consistently defends redevelopment rather than independently assessing heritage impacts. It recognises First Nations significance but provides no protected ceremonial space, no governance structure, and no plan for the Goringhaicona kraal.

It ignores the pending heritage grading application for the broader TRUP cultural landscape, meaning that no precinct-level approvals can proceed until the grading process is completed and integrated, as required by the NHRA and the precautionary principle.

The public participation process appears to have been treated as a mere formality. The HIA fails to respond meaningfully to issues raised in public submissions; critical documents were released late or without sufficient time for meaningful comment; statements from provincial officials suggest predetermined outcomes. Misrepresentations at the 2025 Western Cape Investment Summit further undermine transparency.

In its current form, the Revised HIA does not provide a lawful, thorough, or independent basis for approving redevelopment. A full reassessment is required, including proper evaluation of living heritage, enforceable protections, and alternatives that retain the cultural and social assets of Oude Molen.

## **Re: Revised Heritage Impact Assessment (Version 2, November 2025) for the Proposed Redevelopment of the Oude Molen Precinct**

Thank you for the opportunity to submit comments on the proposed redevelopment of the Oude Molen Precinct and Revised Heritage Impact Assessment (HIA) Version 2 (November 2025), and associated documentation.

We write as individual members of the public who have engaged with both the HIA and the accompanying socio-historical material.

The Revised HIA for the Oude Molen redevelopment remains incomplete and inadequate despite the stated goals of housing and mixed-use development.

It fails to meet NHRA Sections 5 and 38, which require precaution, independence, and assessment of the full range of heritage values. The assessment omits key cultural, social, environmental, and intangible heritage components, and repeatedly defers essential analysis to future stages.

The Revised HIA has failed to apply the mandatory NHRA Section 3(3) significance criteria, even though Oude Molen precinct clearly meets multiple Section 3(3) criteria across social, cultural, environmental, and associational values.

Our objections relate to:

1. The omission and displacement of Oude Molen Stables
  2. Heritage grading gap and ongoing TRUP grading application
  3. Inadequate protection of the First Nations cultural landscape
  4. The unassessed loss of critical community assets
  5. Intangible Heritage and UNESCO principles
  6. Serious deficiencies in the Socio-Economic Impact Report
  7. Loss of open space and sense of place
  8. A development model that ignores 30 years of living social fabric
  9. Critical protections deferred
  10. Spatial transformation claims not supported
  11. Missing zoning history
  12. Site assessed in isolation
  13. General red flags in revised HIA and proposed plan
  14. Procedural concerns regarding public comment and the revised HIA
  15. Contradictions within the revised HIA and associated annexures
  16. Misrepresentation at the 2025 Western Cape Investment Summit
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## 1. Oude Molen Stables: Total Omission of Heritage and Community Value

The Revised HIA entirely omits the cultural, educational, and social value of Oude Molen Stables, despite the socio-historical study repeatedly confirming their long-standing (since 1994) and irreplaceable contribution. [1] [Socio Historical Impact Assessment](#)

(The Socio Historical Assessment is available as Annexure C at <https://www.westerncape.gov.za/infrastructure/oude-molen-precinct-omp>)

The Socio Economic Impact Assessment (SEIA) further compounds this omission by reducing the stables to a “tenant”, with no assessment of their community value, and failing to assess the impact of their displacement.

Yet the socio-historical report acknowledges:

- *The presence of horses complements the curricula of the on-site schools and provides rare urban access to equine activity.*
- *There are **no other publicly accessible riding facilities** in similar proximity.*

The equine heritage around the Liesbeek River is significant, especially concerning the early history of European settlement and the introduction of horses to Southern Africa in 1653.

The area where the Liesbeek River historically emptied into Table Bay was named Paarden Island (Island of Horses), a testament to the early presence and importance of horses in the region.

Oude Molen Stables continues the long-standing heritage of working with horses for healing and education. The stables rescue and rehabilitate horses, using them for therapeutic programs with various community entities and hospitals.

These stables clearly meet NHRA Section 3(3)(a) (importance in community history), 3(3)(e) (aesthetic characteristics valued by a community), and 3(3)(g) (strong association with a community for social and cultural reasons).

The stables support:

- equine therapy,
- therapeutic riding,
- youth development,
- agricultural experiences for urban children,
- employment and equine skills,
- informal community cohesion,
- social cohesion and intergenerational community life

**None of this is assessed in the revised HIA.**

This is a breach of Section 38(3)(e)–(f) of the NHRA requiring assessment of social value, cultural practices, and impacts on social fabric.

Alternative 4C places dense urban blocks over the current stable’s footprint, ensuring their complete displacement, without any mitigation, alternative siting, heritage consideration, or assessment of social harm. There is no plan for retention or relocation.

The revised HIA's omission of the stables is not merely an oversight but a structural failure of methodology. The document selectively engages with heritage criteria and avoids assessing social and associative value under NHRA 3(3).

This approach predetermines displacement rather than assessing significance. A heritage assessment that excludes a 30+ year cultural institution - central to education, therapy, community identity, and landscape character - fails the basic statutory test of completeness under Section 38 of the NHRA.

A full heritage and social-value assessment of the stables must occur before any approval is granted, including evaluation of options for retention.

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## **2. Heritage Grading Gap and Ongoing TRUP Grading Application**

The Revised HIA fails to acknowledge that the broader Two Rivers Urban Park (TRUP) cultural landscape, of which the Oude Molen Precinct forms a part, has an ongoing heritage grading application before Heritage Western Cape. [\[2\] TRUP Heritage Grading](#)

Until the grading process is concluded, the area must be treated as a site of potential provincial (and national) significance, and all impact assessments must adopt a precautionary, protective approach.

The current HIA instead treats the precinct as if no grading process exists and evaluates heritage significance only at a narrow, precinct-based level, ignoring the established interdependence of cultural, environmental, social, and First Nations values across the TRUP landscape.

Proceeding with Alternative 4C in the absence of landscape-scale grading outcomes contradicts the NHRA, misrepresents the status of the site, and risks irreversible damage to a landscape currently under formal heritage consideration.

The Revised HIA also fails to treat the site as containing 'heritage resources whose significance has not yet been assessed' as required under Section 3(2) of the NHRA, particularly relevant given the open TRUP grading application.

No approval should be contemplated until the TRUP grading application is finalised, mapped, and fully integrated into the heritage assessment.

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## **3. First Nations Cultural Landscape: Recognition Without Real Protection**

The HIA acknowledges that the site forms part of a high-significance First Nations cultural landscape with contemporary ceremonial use. [\[1\] Socio Historical Impact Assessment](#)  
Yet the development proposal does not secure any protected space for ongoing indigenous practice.

The Revised HIA:

- provides no protected ceremonial space,
- does not state what will happen to the Goringhaicona kraal.
- offers no governance or custodianship structure, and
- defers all meaningful decisions to future design phases.

This is not an adequate response to indigenous cultural heritage. It is a fundamental failure under:

- NHRA Section 3(3)(a): importance in the pattern of South Africa's history
- Section 3(3)(b): endangered aspects of cultural heritage
- Section 3(3)(g): strong association with a cultural group
- Section 3(3)(i): relevance to histories of dispossession

A living cultural site cannot be erased or relegated to speculative "later planning."

A development of this magnitude cannot move forward while ignoring the rights, presence, and needs of First Nations communities who actively use the site for ceremony and heritage revival.

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#### **4. Loss of Community Assets**

The HIA and SEIA do not account for the value of multiple social and community-serving institutions currently operating on the site. It fails to assess how vulnerable groups - learners, elderly patients, carers in training, low-income families, informal workers, and First Nations communities - depend on current uses.

Section 38(3)(d) and (e) of the NHRA require assessment of the social consequences of development. The omission of a social vulnerability analysis obscures the real human cost of displacement and minimises the cultural and social protections envisioned by the NHRA.

##### **Robin Trust: Step-down healthcare & carer training**

The Robin Trust is a long standing respected step-down care provider. It provides dementia care, post-surgical recovery, and SETA-accredited carer training. Patients benefit from the site's therapeutic environment.

This aligns with:

- NHRA 3(3)(a): importance in community and healthcare history
- 3(3)(g): special association with vulnerable groups and caregivers
- 3(3)(e): the aesthetic/therapeutic environment valued by the community

The SEIA does not assess the social impact of losing this facility, including:

- impacts on vulnerable and elderly patients,
- impacts on families needing nearby step-down care,
- loss of jobs and specialised skills,
- disruption to healthcare networks
- the economic and social loss of carer training

The revised HIA continues to ignore the social, healthcare and community value. This is a glaring omission incompatible with any credible socio-economic analysis.

##### **Schools (Gaia Waldorf & Montessori)**

The Revised HIA does not assess the impact of losing the schools, even though the socio-historical annexure shows their presence is uniquely tied to the site's environment:

- *"Both schooling models... consider the OMV setting perfect for integrating teaching with practical example... biophysical environment, farming, history and heritage."*
- *The site is used as an outdoor classroom and nature-based learning space.*

This meets:

- NHRA 3(3)(e): aesthetic characteristics valued by a community
- 3(3)(a): importance in community life and local educational history
- 3(3)(g): strong association with a particular community for social and cultural reasons

The Montessori school and other educational facilities offer invaluable early childhood and alternative education. Their displacement would:

- remove an accessible local education option,
- uproot established learning communities,
- increase pressure on surrounding schools,
- and undermine the social ecosystem of the precinct.

The schools rely on safe open grounds, gardens, and proximity to animals. They have invested heavily in improvements to their facilities, which the development disregards.

Displacement would destabilise learning communities and remove a valuable social service. Yet the SEIA does not assess this loss at all. The loss of these institutions is not quantified, mitigated, or addressed.

### **Green Space and “Urban Rurality”**

The Revised HIA and SEIA fail to acknowledge that the existing green areas function as climate-buffering open space that provides shade, cooling, permeable surfaces, biodiversity habitat, and mental health benefits. These ecosystem services have cultural as well as environmental value. The destruction of green-space heritage and its replacement with heat-intensive built form is not assessed at all.

The socio-historical study repeatedly emphasises:

- *“Key attractions include the farm-like and accepting context.”* (Robin Trust)
- *“The site is generally considered child friendly.”*
- *“Visiting school groups link to the ‘farm-like setting’ and environmental teaching opportunities.”*

One of the most important and irreplaceable aspects of Oude Molen is its role as a rural oasis in the middle of the city. The site’s green, semi-rural character is cultural heritage.

It supports:

- children interacting with animals,
- the play centre,
- experience of nature and farm life within an urban environment,
- community gardens,
- therapeutic spaces,
- mental wellbeing,
- unstructured community gathering.

This green, semi-rural environment (open areas, animals, gardens, community interaction) falls under:

- NHRA 3(3)(e): aesthetic characteristics valued by a community
- 3(3)(a): importance in community life
- 3(3)(b): endangered forms of urban green-space cultural heritage
- 3(3)(g): strong social association

This is not a trivial amenity, it is a **rare and culturally significant landscape of learning, wellbeing, and community connection.**

The Revised HIA dismisses this as “current uses without priority rights,” rather than recognising it as a unique, irreplaceable socio-ecological asset.

Preferred Alternative 4C replaces much of this with dense urban blocks of apartments, offices, and hard landscaping, permanently erasing a rare and socially valuable urban ecosystem. The SEIA does not quantify or even acknowledge this loss.

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## **5. Intangible Heritage - UNESCO framework**

UNESCO defines intangible cultural heritage as living practices and knowledge created and transmitted by communities. This includes traditional knowledge, social practices and shared community life, craft skills, rites, environmental knowledge, seasonal practices, relationships between people and the land, and skills passed on informally between generations.

At Oude Molen, numerous examples fit this definition: equestrian instruction and horse-handling; therapeutic-riding and associated skills transfer; community food-growing and permaculture knowledge; outdoor, nature-based schooling and place-based pedagogy; youth mentoring and skills transmission; artisan workshops; ceremonial practice and First Nations ritual use.

The Revised HIA’s dismissal of these practices as “non-heritage” or “legacy uses” conflicts with UNESCO principles and reduces a living cultural system to mere land-uses.

The HIA must therefore assess the impacts on intangible heritage in accordance with international safeguarding principles and record whether affected communities consent to or can be meaningfully involved in any proposals affecting transmission of living practices.

Under the 2003 UNESCO Convention, safeguarding intangible heritage requires community identification, participation and consent; international practice treats communities as the primary authorities on what constitutes their living heritage.

Decisions about intangible heritage involve the community as the primary source and must be guided by participatory identification and safeguarding measures.

Intangible heritage cannot be relocated without damaging the relationships, environmental conditions and networks that sustain it. International precedent shows that statutory heritage tools should be used to protect intangible practices where they are materially dependent on a place; relocation or “accommodation elsewhere” is rarely an adequate or acceptable mitigation if it severs learning pathways or ecological relationships that sustain the practice.

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## **6. Serious Shortcomings in the Socio-Economic Impact Assessment (SEIA)**

The SEIA [\[3\] Socio Economic Impact Assessment](#) fails in several major ways:

- 1. It fails to consider the negative social impacts of losing existing community uses**

Schools, Robin Trust, stables, kraal, food gardens, therapeutic open spaces all meet NHRA 3(3) heritage criteria, yet none are evaluated for significance or impact in the revised assessment.

Non-market values like community cohesion, living heritage, cultural identity, green space, and social services are effectively invisible in the cost–benefit logic of the report.

## **2. Ignores displacement impacts**

The SEIA itself acknowledges forced displacement of tenants during construction, including lease terminations and noise/traffic disruption.

Yet it fails to assess the real social harm caused by displacing long-standing community-serving institutions.

The fact that the revised HIA continues to ignore this is a breach of Section 38(3)(e)–(f) of the NHRA requiring assessment of social value, cultural practices, and impacts on social fabric, and violates the heritage criteria in 3(3)(a), (e), (g)

## **3. No valuation of green open-space or cultural-landscape benefits**

Despite strong evidence of the site’s unique therapeutic, mental health and educational value, hereby meeting Section 3(3)(e) cultural landscape criteria, the SEIA and HIA completely omit this.

## **4. Overreliance on economic metrics**

The SEIA emphasises construction-phase economic multipliers while ignoring community wellbeing, social cohesion, education, care services, cultural continuity, loss of local jobs and skills, and health impacts.

The SEIA measures only modelled economic benefits, ignoring social heritage, community services, and cultural continuity, all expressly protected under NHRA Section 3(3). The SEIA should include full consideration of the cultural landscape as a living social system.

The economic “benefits” estimated during construction or early operation may evaporate over time; meanwhile social/heritage losses are permanent. The Social Account Matrix (SAM) model used is ill-suited to capture that imbalance.

## **5. Overstatement of Short-term Gains vs Under-assessment of Long-term Losses**

In the SEIA, economic impacts are broken into construction-phase (CAPEX) and operational-phase (OPEX), and the report highlights temporary jobs and initial business activity during construction. But such benefits are temporary; meanwhile displacement, social disruption, heritage loss, loss of open space, and breakdown of living-community use are likely permanent.

It emphasises short term construction jobs but overlooks the fact that several of the site’s current uses actively support skills development and knowledge transfer, creating long-term employment opportunities in areas such as caregiving, food production, and equine management.

The report acknowledges the site is “very under-utilised,” with some vacant/dilapidated buildings, using this to justify the redevelopment and downplay existing use-value.

There is a heavy temporal bias. Short-term economic “uplift” is weighed heavily, whereas long-term losses (social, cultural, environmental) are minimized or ignored.

The report fails to capture that long-term harms are likely to outweigh the short-term economic benefits.

#### **6. Over-optimistic Assumptions About Affordable Housing and Social Benefit**

The report claims that 34% of residential units will be “inclusionary”, but it does not clearly define what “affordable” means in real terms (e.g. income brackets, rental levels, access conditions), nor does it reconcile that the majority are open-market dwellings, unaffordable to local community members displaced by redevelopment.

There is no detailed analysis of who will realistically access the “affordable” units, or whether displaced former residents/users of the site (schools, stables, social services) will have priority or ability to remain.

The implication is that the social housing claim may be more symbolic than effective, and may not prevent gentrification, displacement, or exclusion of vulnerable pre-existing communities.

#### **7. Confirmatory Bias & Pre-Determined Outcomes**

The economic model, assumptions, and metrics used (jobs, GDP, business sales, housing demand) are consistent with a pro-development agenda.

The report assumes a development outcome and does not explore or model alternatives that would retain existing community, heritage, and ecological values.

Such bias results in “status-quo justification” or “built-in acceptance” of a predetermined outcome rather than genuinely weighing costs and benefits.

It is not a neutral, balanced assessment, but a tool to justify development. As such, its legitimacy as a decision-making input is compromised.

By using economic reductionism, the report devalues everything that cannot be expressed in monetary or GDP terms, which arguably are the very aspects that matter most in heritage and community-rich places like this.

Given its narrow economic focus, methodological limitations, failure to integrate heritage and social values, and likely confirmation bias, the report does not provide a sufficiently balanced, comprehensive or credible assessment of the impacts of the proposed redevelopment.

As a result, relying on it to justify approval would be deeply problematic, especially when weighed against heritage law obligations, social justice concerns, living-heritage, and the rights/interests of existing community users.

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### **7. Loss of Open Space & “Social Texture” – Acknowledged but Not Mitigated**

Even the HIA identifies:

- “Potential threats... **Loss of open space.** Loss of ‘social texture’.”

These attributes correspond directly with:

- 3(3)(e): aesthetic characteristics valued by a community
- 3(3)(a): importance in community life
- 3(3)(g): social associations

Yet the Revised HIA fails to protect the very qualities it identifies as threatened. It recommends no concrete protections and does not treat open space or social texture as heritage resources, despite the NHRA explicitly requiring assessment of **intangible** and **associational** value.

The proposed development replaces a rural-feeling cultural landscape with a dense, urbanised precinct unrecognisable from the present character, fundamentally altering the experiential, heritage, and emotional value of the site.

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## **8. A Development Model that Ignores 30+ Years of Living Social Fabric**

For more than three decades, the Oude Molen Precinct has evolved into a unique, community-driven ecosystem: a place where education, care work, stable employment, early learning, food growing, equine activities, First Nations cultural practice, and mental health support coexist in a rare semi-rural urban environment. [\[1\] Socio Historical Impact Assessment](#)

This is living heritage in the truest sense - an organically developed, interdependent social fabric woven over more than 30 years. The Robin Trust was founded in 1993, and the stables in 1994. Many Cape Town residents have been taking young children to play at Oude Molen for 20+ years. This is a long history that is being dismissed as “temporary”.

The Revised HIA treats all these long-standing uses as “legacy activities,” failing to assess:

- the accumulated social capital of over three decades of community collaboration,
- the interwoven nature of schools, stables, gardens, care facilities and cultural practices,
- the deep, place-based meaning for many children, families, elders, patients and workers,
- the site’s continuity of use as an inclusive, accessible, semi-rural public space,
- the intangible heritage generated by routine everyday practice over generations.

This contradicts Section 3(3) of the NHRA, which explicitly protects social, cultural, associative and experiential heritage, including places of community life, learning, care and cultural practice.

By assessing buildings and uses in isolation, the Revised HIA fails to capture the cumulative significance of the rural character, community gardens, animal presence, open spaces, learning environments, and ceremonial practices that together create the distinctive cultural landscape of Oude Molen.

Instead of assessing this accumulated social fabric as heritage, the Revised HIA reframes long-standing heritage-related uses as obstructive. They are characterised as

- “uncoordinated,”
- “not aligned,”
- “legacy uses,”
- “not planned,”
- “without priority rights.”

This language is used to justify erasing them rather than evaluating their significance under NHRA Section 3(3).

The assertion that the current uses are “not living heritage” is incorrect. It contradicts both the socio-historical material and the NHRA’s definition of living heritage, which includes contemporary cultural practices, community networks, educational activities, care work, and place-based meaning. The activities at Oude Molen - schools, the stables, Robin Trust, food-growing networks, community gardens, First Nations ceremonial space, youth development, therapeutic environments - are clear examples of living heritage under Section 3(2) and 3(3).

The implication appears to be that only government-planned uses have legitimacy, a view that is incompatible with living heritage principles and the NHRA.

By ignoring the interlinked heritage value of this long-standing ecosystem, the Revised HIA fails to comply with Section 38(3)(e)–(f) of the NHRA and disregards people’s lived experience.

These omissions reveal a deeper structural issue: the Revised HIA adopts an advocacy stance for redevelopment, rather than an independent heritage assessment. By treating the community fabric as an obstacle, the Revised HIA fails in its statutory purpose.

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## 9. The Revised HIA Defers Critical Protections to Future Phases

The HIA repeatedly defers essential protections - archaeological, heritage, landscape, and design safeguards - to later phases. [\[4\] Revised HIA](#) Heritage protection depends on future design, not current plans. This undermines enforceability.

Once the land is parcelled up and sold off, who will ensure that social or affordable housing is delivered? Who will ensure that the wetland is protected? Who will ensure that First Nations heritage is preserved? What rules will ensure that any development maintains the same look, feel and fabric as currently in place?

The HIA repeatedly warns that:

- Many protections “will be resolved at detailed design level,”
- The precinct plan is “not sufficiently detailed,”
- Compliance with heritage indicators is “not yet assessable.”

A heritage impact assessment that identifies risk but postpones mitigation is not compliant with Section 38 of the NHRA. Approving the proposed development plan now would lock in a framework that allows irreversible damage long before safeguards are finalised.

This pattern of deferral is part of a wider trend throughout the HIA: heritage impacts are identified at a high level but never meaningfully assessed, with the report continually promising that analysis will happen “later.”

This is procedurally impermissible under the NHRA, which requires impacts and mitigations to be established *before* approvals, not after. Deferral is, in effect, avoidance. Combined with the document’s reliance on planning policy instead of heritage law, this indicates that the Revised HIA operates as a justificatory document rather than an impact assessment.

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## **10. The Claim of “Spatial Transformation” Is Not Supported by the Proposed Development**

The project repeatedly presents itself as contributing meaningfully to “spatial transformation.” However, the housing mix and land-use outcomes of Preferred Alternative 4C contradict this claim in several ways.

### **Only one-third of the proposed housing is classified as “affordable” and even that is misleading**

According to the development documents, only around one-third of the residential units will fall under so-called “affordable housing.”

However:

- A portion of these “affordable” units will still be sold at market-driven prices,
- Only a small portion is truly income-targeted,
- Meaning the real proportion of genuinely affordable units is likely closer to one quarter of all units.

The remaining 66% of units will be fully profit-driven, open-market housing.

This means the overall built form will be dominated by market-rate, profit-oriented housing, not by inclusive or redistributed access to land.

A development where the majority of housing is unaffordable to ordinary working families cannot credibly claim spatial transformation.

### **A recent precedent in the area shows “affordable housing” to be priced out of reach**

In the Amazon/River Club development, so-called “affordable housing” appears to consist of tiny studio apartments starting at over R1.6 million - far beyond the reach of the vast majority of South Africans, including middle-income earners.

If similar affordability definitions are applied at Oude Molen, the units will not be accessible to the people historically excluded from land access. And how could such units possibly house families, when a studio apartment is compact even for a single person or couple?

### **Non-residential land uses undermine transformation goals**

Alternative 4C allocates significant floor area to:

- office blocks
- commercial retail
- privately leased mixed-use buildings

These do not advance spatial justice. They increase land value, accelerate gentrification, and drive up rental pressure in neighbouring communities.

This approach conflicts with any meaningful definition of inclusive spatial restructuring. If anything, this places greater pressure on surrounding low-income communities, not less.

### **Replacing open space with dense blocks does not “revitalise” the area. It removes the very qualities that make Oude Molen a public asset.**

The proposal eliminates much of the existing open, communal, semi-rural landscape - a landscape that is socially, culturally, and educationally productive - and replaces it with:

- dense apartment blocks

- hard landscaping
- commercial buildings
- structured parking
- malls and offices

This is not revitalisation. This is commercial urbanisation, with heritage, cultural landscape, and social assets erased. Revitalisation would mean strengthening what exists.

A transformed space should strengthen existing social and cultural networks. Alternative 4C eliminates them. It replaces what exists with something completely different and overwhelmingly profit-driven.

A project cannot meaningfully claim “spatial transformation” when it:

- dedicates the majority of housing to market-rate buyers,
- provides limited genuinely affordable options,
- removes open, inclusive space,
- displaces long-standing existing community uses,
- increases commercial speculation, and
- erases social and cultural landscape values.

True spatial transformation is not simply about adding density. It requires equitable access, social inclusion, cultural continuity, and protection of community assets.

Preferred Alternative 4C, as currently designed, does not meet these principles. Instead, the resulting built environment resembles high-end private development rather than public-interest precinct design.

## **11. Missing zoning history**

Zoning history is directly pertinent to heritage because it documents how a site has been understood, valued, controlled, and used by the state over time. In heritage law and practice, zoning is not neutral or merely technical. It is evidence of official recognition of significance, sensitivity, and constraint.

The Oude Molen Precinct is currently zoned as “Utility Zoning”, with the HIA stating that the plan is to change it to “Subdivisional Area”. In 2016 it was cited as “Limited Use”, but prior to that, no history is available.

Members of the public were unable to obtain the full zoning record for the site and have been informed that “the erf does not exist”.

This is most curious, given that the HIA itself contains the erf number - 26439 - in the document title.

Lack of access to the full zoning record effectively prevents verification of historical zoning, land-use controls, and planning intent.

This absence of accessible zoning information is not neutral: zoning history constitutes evidence of long-standing recognition of the site’s sensitivity and has shaped the cultural landscape and living heritage that exist today.

The inability to access this information materially undermines meaningful public participation and prevents proper scrutiny of whether the proposed rezoning represents a fundamental departure from historic land-use treatment.

Proceeding with heritage and planning assessments in circumstances where the zoning history is opaque or withheld constitutes a procedural defect and renders the Heritage Impact Assessment incomplete, as it fails to assess heritage impacts against an established and verifiable baseline, contrary to the requirements of the National Heritage Resources Act and principles of lawful, fair, and transparent administrative decision-making.

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## **12. Site assessed in isolation**

The Oude Molen site is being assessed as if it exists on its own, separate from the wider landscape - the adjacent wetland, Valkenberg Hospital, Maitland Garden Village, the broader TRUP area, and the Western Cape province.

When a site like this is assessed in isolation, the cumulative impact is ignored. Each development may appear acceptable on its own, but together they steadily erase the last remaining green, cultural and heritage spaces. What remains therefore carries greater, not lesser, heritage significance and should be protected more carefully, not targeted for development.

Assessing Oude Molen in isolation also hides how important it is as a refuge: for biodiversity, for children growing up in an increasingly concrete city, for community activities, for animals such as horses, and for living cultural practices that depend on space, land and continuity. Once these connections are broken, they cannot simply be recreated elsewhere.

### **Wetland**

The impact of a dense development with construction, traffic, noise, pollution and general activity on the immediately adjacent wetland is completely omitted despite its importance.

The palisade fence is of no significance to birds and small animals, including the Western Leopard toads. For all these animals, the two areas form a continuous whole where they live and breed. The Oude Molen Precinct cannot be treated as totally separate from the wetland. Impacts from a dense development will inevitably overflow into the wetland area.

Who will protect what remains of the wetland if the Oude Molen Precinct is filled in with dense built blocks?

### **Valkenberg Hospital**

The Oude Molen Precinct has a longstanding connection with Valkenberg Hospital, having at one time been essentially an eastern branch of Valkenberg. While the formal hospital role has ended, the social function has not disappeared.

The Robin Trust has for many years supported former psychiatric patients and vulnerable adults, including some individuals discharged from Valkenberg Hospital.

Many former Valkenberg patients have participated in supported work, craft, gardening, or animal-care activities at Oude Molen, and/or benefited from structured, calm, non-institutional environments offered by organisations linked to the precinct. Oude Molen provides open green

space, animals, gardens, and low-stimulus environments, and opportunities for routine, dignity, and social inclusion.

This ongoing use constitutes living heritage, representing a continued social practice directly linked to the site's historic function in mental health care.

Erasing or over-developing the precinct risks displacing vulnerable people from a rare supportive environment, severing one of the last non-institutional continuities with Valkenberg's historical care landscape, and undermining social and intangible heritage, not just physical fabric.

### **Maitland Garden Village**

The redevelopment of Oude Molen Eco Village would have significant negative impacts on the adjacent Maitland Garden Village.

It would accelerate gentrification: displacing long-standing residents and altering the social fabric of nearby areas. Many local jobs and small enterprises that rely on the village's ecosystem would be lost, undermining livelihoods and economic resilience.

At the same time, the removal of this unique green and community recreational space would deprive residents, especially children and youth, of vital opportunities for outdoor activity, learning, and social cohesion.

### **Liesbeek-Black River Landscape**

The cumulative pressure on the Liesbeek-Black River cultural landscape is increasing and insufficiently acknowledged. The impacts of the proposed development need to be assessed in combination with other major developments in the Liesbeek-Black River corridor, including the River Club/Amazon project. These projects collectively intensify pressure on an already fragile cultural landscape with First Nations significance, environmental sensitivity, and historic layers of dispossession.

The NHRA requires cumulative assessment, not isolated project-by-project analysis. By assessing the Oude Molen proposal in a vacuum, the Revised HIA completely fails to account for how cumulative densification, traffic increases, hard surfacing, and landscape fragmentation together erode the area's cultural significance. This omission renders the assessment incomplete and non-compliant with heritage best practice.

The Revised HIA also fails to account for the well-established overlap between ecological sensitivity and cultural landscape significance within the TRUP system, a principle repeatedly affirmed in specialist studies and public submissions.

### **Provincial**

The HIA ignores the broader provincial context where huge amounts of land with heritage value are being lost, developed for monetary gain.

The Western Cape's rapid development is erasing irreplaceable green spaces, wetlands, and historic landscapes across the province. Large housing, mixed-use, and commercial projects threaten biodiversity, ecosystem services, and the health and wellbeing of communities.

Cultural heritage, from historic buildings and Bo-Kaap neighbourhoods to living heritage sites like farms and urban green spaces, is under constant pressure from construction and gentrification.

This pattern of development fragments communities, undermines heritage, and weakens environmental resilience. Urgent action is needed to ensure that heritage and green spaces are protected, so that the province's natural and cultural wealth is preserved for future generations.

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### **13. General Issues and Red Flags**

- The Revised HIA separates heritage, environmental and social impacts rather than assessing their interdependence. International and national precedent recognises that some places embody rights-of-place or collective cultural-environmental interests that cannot be parcelled into discrete technical reports.

The HIA gives no consideration to whether legal or policy instruments should recognise the site's collective cultural-environmental interests (sometimes discussed as the "rights of the land"), nor whether South African law provides mechanisms to protect such integrated values. This gap must be addressed, including by reference to national legal protections and international best practice for cultural landscapes.

- No alternatives retaining major community assets were assessed. The report presents only variations of the same high-density redevelopment model, all of which displace existing social, cultural, and educational uses. A credible HIA must test alternatives that safeguard the core heritage resources such as the stables, Robin Trust, schools, and First Nations ceremonial space, rather than assuming their removal as a starting point.

Section 38(3)(c) of the NHRA requires that development alternatives be assessed, including options that avoid or substantially reduce heritage impacts. By presenting only variations of the same high-density redevelopment model, the HIA fails to comply with this requirement.

- Methodological bias and lack of independence: the revised HIA consistently adopts a justificatory stance toward the proposed development, rather than an independent evaluative methodology. It demonstrates a pre-determined outcome. An HIA with an advocacy orientation cannot meet the NHRA requirement for independent, transparent assessment. This methodological flaw affects the integrity of the entire document.
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### **14. Procedural Concerns regarding public comment**

The Revised HIA and the accompanying "Response to Further Requirements" also fail to meaningfully address the substantive issues raised in public submissions. [\[4\] Comments and Responses Report](#)

While the Comments & Responses Report summarises certain themes, numerous concerns received generic or evasive answers or were ignored entirely.

For example:

- Concerns about loss of the stables, therapeutic riding, and social-cohesion value were not addressed at all.
- Submissions warning of the displacement of care services (Robin Trust), early childhood education, and food-growing networks received no substantive response.
- Multiple objections identifying failures in applying NHRA Section 3(3) heritage criteria were not answered with any legal or methodological justification.
- Issues raised about the omission of alternatives that retain community assets were dismissed without evidence or explanation.
- It cites old stakeholder lists and mailing-list inclusion but does not reflect fresh, meaningful engagement with First Nations groups.
- Submissions alerting HWC to contradictions in the SEIA and HIA, including the underestimation of social impacts and erasure of intangible heritage, were not addressed in a meaningful manner.
- The TRUPA Objection regarding the Two Rivers Urban Park context and heritage grading were unaddressed
- Several participants raised concerns about procedural transparency, meeting representation, undisclosed developer involvement, and professional disagreements regarding NEMA triggers. None of these were resolved or clarified.

The revised HIA does not demonstrate how these submissions were considered, whether the issues shaped the revised methodology, or why outstanding concerns remain unaddressed.

This failure to engage with the substance of the public submissions undermines the integrity of the public participation process and means that the revised HIA still does not meet statutory requirements for completeness, transparency, or fairness.

### **National significance and I&AP reach**

The cultural and environmental values at Oude Molen - including First Nations associations, associations with King Cetshwayo, and rare urban green-space functions - mean that potentially affected parties may lie outside the Western Cape. The NHRA contemplates national interest where places are of broader significance. The HIA and public participation process should therefore have considered outreach beyond provincial boundaries and identified how potentially affected national stakeholders were notified and afforded an opportunity to participate.

There has not been adequate distribution or advertising of the notice for the revised HIA. There was only one sign displayed outside Oude Molen (it is now gone), and emails were sent to existing I&AP lists. But there is no clear record of broader provincial or national notice despite the site's potential wider significance. The HIA process must show how notifications were distributed, to whom, and by what means, otherwise the public participation record is deficient.

### **Public Participation Process treated as a box-ticking exercise**

Is Western Cape Government going to ignore the public participation process and any heritage concerns?

Following the rejection of the initial HIA by HWC, Jandré Bakker of the provincial DOI stated that “this does not change any development plans the DoI has for the property”.

Department spokesperson Melt Botes dismisses the heritage concerns as “technical issues”.

[\[5\] Public Statements](#)

These statements indicate that Western Cape Government view the public participation and heritage processes as a mere formality, and plan to bulldoze ahead regardless.

The public participation undertaken in relation to this HIA has not been treated as a meaningful consultative process. The Constitutional Court has confirmed that a superficial or predetermined consultation process is procedurally unfair under the Promotion of Administrative Justice Act (PAJA) and the NHRA and renders any resulting decision vulnerable to legal challenge.

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## **15. Contradictions Within the Revised HIA and Response Documents**

The Revised HIA and the Response to Further Requirements contain internal inconsistencies that further undermine their reliability. For example:

- The socio-historical study repeatedly emphasises the cultural, therapeutic, educational and community value of existing uses, yet the HIA claims this value is “not significant” or “not aligned with planning intent”.
- The documents identify risks such as “loss of open space” and “loss of social texture” yet conclude that impacts are “acceptable” without mitigation.
- The HIA acknowledges First Nations significance but proposes no mechanism to protect ceremonial practice.
- The response asserts that “no NEMA triggers exist” without supplying specialist justification, contradicting established ecological expertise.

These unresolved contradictions further demonstrate that the Revised HIA does not offer a consistent, credible or legally defensible basis for heritage decision-making.

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## **16. Western Cape Investment Summit - Misrepresentation**

The 2025 Western Cape Investment Summit (WCIS 2025) happened from November 5-7, 2025. It is concerning that material presented at the 2025 Investment Summit implied the HIA process was complete as of July 2025.

Information linked to the “Deal Book” misrepresents the Oude Molen Precinct proposal as follows - it states: “The heritage authorisation process is ongoing, with expected completion in July 2025. The land use application will be submitted in Q2 2025, with project closure anticipated by May 2026. Public participation has been completed for both heritage and spatial planning compliance, with further engagement planned during the land use application phase.” [\[6\] Western Cape Investment Summit – Deal Book](#)

This is factually incorrect. There has been ample time to correct the information since the initial HIA was rejected by HWC. If any public body endorsed or allowed the presentation of inaccurate process status, this would amount to irregular communication that misleads stakeholders and undermines public participation.

The HIA record must clarify whether HWC endorsed those Summit materials and correct any public misinformation.

The published Investment Summit material further demonstrates that WC Government view the public participation process as merely a box-ticking exercise, and the proposed development as a foregone conclusion.

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## **Legislative Framework and Prescribed Procedures**

We have sought legal counsel in respect of the proposed development, see Addendum A. [Addendum A](#)

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## **CONCLUSION**

The revised HIA does not satisfy the minimum statutory requirements of Section 38 of the NHRA, because it does not identify all heritage resources, does not assess impacts to them, does not provide alternatives that avoid harm, and does not propose enforceable mitigation. Under the NHRA, an HIA that does not meet these minimum standards cannot legally form the basis for approving redevelopment.

It does not meet the specific requirements issued by HWC, which directed that a revised HIA must meaningfully assess living heritage.

It fails to engage with the NHRA criteria requiring evaluation of community importance, associative value, cultural and spiritual value, rarity, and aesthetic/experiential qualities, and does not address the displacement and loss of existing social, cultural, educational, and rural activities at Oude Molen.

Instead, it reframes displacement as “transition,” treats existing uses as temporary, and avoids acknowledging any negative social or heritage consequences. This is a strategic omission, not an oversight.

It also attempts to minimise and dismiss the importance of Oude Molen to the broader community, beyond the tenants. The response document includes no attendee list for the IACom Meeting on 14 May 2025, and provides no evidence for this claim, yet it states that “The I&APs represented at the meeting were almost all, bar Mr Jenkins, Mr Turok and the City of Cape Town (CCT) representative Ms Irrgang, tenants at Oude Molen”.

This is factually incorrect. Several non-tenant community members attended, including Ute Kuhlmann and Ruth Howard.

In the meeting recording at 00:31:40, a statement is made about members of IAComm who had recused themselves as being “here today, representing ‘The Developer’”. The Comments & Responses Report states: “There are no developers involved.”

If no developer has been appointed, who were these individuals representing?

At 00:39:25 there is also an assertion that “no NEMA triggers exist,” which contradicts expert ecological opinion, including that of Prof Lynne Shannon (UCT). No scientific credentials nor basis for the no-trigger claim are supplied.

There is no heritage justification for high-density Alternative 4C. The document assumes the development right instead of proving compatibility.

Much of the response relies on municipal planning schemes, zoning intentions, technical density arguments, and urban planning ideology. This creates a biased narrative oriented toward redevelopment rather than heritage protection. A statutory HIA must consider community meaning-making, associative value, and lived cultural significance, not only planning policy. Heritage is being treated as subordinate to planning.

The response to HWC further requirements attempts to justify rather than assess. It is an advocacy piece, not an assessment. Its purpose is to defend the proposed development, not to honestly evaluate heritage impacts. This contradicts the NHRA, HWC requirements, and the principles of independent heritage assessment.

Ironically, the response itself states: “The most significant historical associations of the site are those of dispossession, exclusion, imprisonment, marginalisation and loss.” Yet the proposed development perpetuates the same patterns.

Given the substantial shortcomings described above, and the strong documented evidence of unassessed social, cultural, educational, environmental, and heritage value, we respectfully submit that:

**The Revised HIA (Version 2) and proposed development plan should not be accepted.**

The following must be required

1. A full assessment under NHRA Section 38(3)(e) and (f) of the social and cultural value of:
  - the Oude Molen Stables
  - the Robin Trust
  - community gardens and play areas
  - the schools
  - the youth development and skills transmission programmes
  - the rural green-space character
2. Protection and formalisation of a First Nations ceremonial and interpretive space, including the fate of the Goringhaicona kraal. First Nations ceremonial space is living nature, not a dead museum, street names or “light displays”.
3. A revised SEIA that includes valuation of non-market social benefits (education, therapy, mental health, community gardens). Social, cultural, and community impacts, including real analysis of displacement harm and loss of social services must be evaluated.
4. The revised HIA must incorporate actual, enforceable heritage protections before precinct-level approval.
5. Alternatives that retain core community uses on-site to be developed and assessed, in recognition of their NHRA Section 3(3) heritage status.

Until then, approval of the proposed development would be premature, procedurally deficient, and socially harmful.

Thank you for considering this objection.

## **Signatories**

Ruth Howard

[ruth\\_howard@yahoo.com](mailto:ruth_howard@yahoo.com)

084 719 6142

Karen White

[karen@thehumanconnection.co.za](mailto:karen@thehumanconnection.co.za)

083 455 4744

Ute Kuhlmann

[ute.kuhlmann@gmail.com](mailto:ute.kuhlmann@gmail.com)

083 265 4400

## References

### [1] Socio Historical Impact Assessment

<https://staprodmtpdxpzan.blob.core.windows.net/dxp/2025-11/annexure-c-socio-historical-study-oude-molen-feb-2025-omp-november.pdf>

“A substantial portion of current tenants have been on the site for a considerable period, in many instances, over 20 years” – p 26

“The Gaia Waldorf School has remained on the site since 2001” – p 26

“The [Robin] Trust was started in 1993 and moved onto the site in 1994” - p 28

“Current farming/ gardening-related activities on the OMV site date to around 1994” – p 33

“The first OMV-era horse presence on the site dates to the mid-1990s” – p 35

“The pool was rehabilitated by a tenant, Mr Danie Groenewald, around 2001” – p 37

“Oude Molen has its own, very strong association with the history and heritage of the Khoe & San on a scale much greater than that of any other site within the Two Rivers area.” - p 52

### [2] TRUP Heritage Grading

<https://www.theheritageportal.co.za/notice/notice-intention-preserve-two-rivers-urban-park-cape-town>

The Two Rivers Urban Park (TRUP) heritage grading outcome is unresolved and contested. Official grading is still in limbo.

### [3] Socio Economic Impact Assessment

<https://staprodmtpdxpzan.blob.core.windows.net/dxp/2025-11/annexure-i-oudemolen-socio-economic-impact-report-7-march-2025-omp-november.pdf>

### [4] Revised HIA

<https://staprodmtpdxpzan.blob.core.windows.net/dxp/2025-11/2-hia-rev2-oude-molen-5-november-2025-omp-november.pdf>

Deferred protections :

p 5-6 “the site will not be developed by the owner ... but will ... be packaged for largely private sector development ... The development of the heritage precincts ... will require a more considered process.”

p 10-14 “detailed exploration at later stages”, “will be further considered during detailed design”

### [4] Comments and Responses Report

[https://staprodmtpdxpzan.blob.core.windows.net/dxp/2025-03/1-omp\\_hia-comments-and-responses-report\\_final.pdf](https://staprodmtpdxpzan.blob.core.windows.net/dxp/2025-03/1-omp_hia-comments-and-responses-report_final.pdf)

### [5] Public Statements

Jandré Bakker: <https://southernsuburbstatler.co.za/news/2025-05-21-stumbling-block-in-oude-molen-plans/>

<https://iol.co.za/news/2025-05-21-stumbling-block-in-oude-molen-plans/>

Melt Botes : <https://capetimes.co.za/news/2025-05-27-wc-government-told-to-go-back-to-drawing-board-over-its-plans-for-oude-molen-village/>

### [6] Western Cape Investment Summit – Deal Book

<https://wcis.co.za/deal-book/>

“Fact” sheet:

[https://wcis.co.za/downloads/info-](https://wcis.co.za/downloads/info-sheets/Oude%20Molen%20Precinct%202025%20_%20OnePager%2019052025.pdf)

[sheets/Oude%20Molen%20Precinct%202025%20\\_%20OnePager%2019052025.pdf](https://wcis.co.za/downloads/info-sheets/Oude%20Molen%20Precinct%202025%20_%20OnePager%2019052025.pdf)

## Addendum A

### THE LEGISLATIVE FRAMEWORK AND PRESCRIBED PROCEDURES

1. The applicable legislation is the National Heritage Resources Act, 25 of 1999.

#### The National Heritage Resources Act, 25 of 1999

2. Directly relevant for present purposes is Section 38 which appears below the heading “**Heritage resources management**”. For ease of reference, Section 38(2) and (3) are set out here:

“(2) *The responsible heritage resources authority must, within 14 days of receipt of a notification in terms of subsection (1)—*

(a) *if there is reason to believe that heritage resources will be affected by such development, notify the person who intends to undertake the development to submit an impact assessment report. Such report must be compiled at the cost of the person proposing the development, by a person or persons approved by the responsible heritage resources authority with relevant qualifications and experience and professional standing in heritage resources management; or*

(b) *notify the person concerned that this section does not apply.*

(3) *The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2)(a): Provided that the following must be included:*

(a) *The identification and mapping of all heritage resources in the area affected;*

- (b) *an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;*
  - (c) *an assessment of the impact of the development on such heritage resources;*
  - (d) *an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;*
  - (e) *the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;*
  - (f) *if heritage resources will be adversely affected by the proposed development, the consideration of alternatives; and*
  - (g) *plans for mitigation of any adverse effects during and after the completion of the proposed development.*
  
- (4) *The report must be considered timeously by the responsible heritage resources authority which must, after consultation with the person proposing the development, decide—*
  - (a) *whether or not the development may proceed;*
  - (b) *any limitations or conditions to be applied to the development;*
  - (c) *what general protections in terms of this Act apply, and what formal protections may be applied, to such heritage resources;*
  - (d) *whether compensatory action is required in respect of any heritage resources damaged or destroyed as a result of the development; and*

(e) *whether the appointment of specialists is required as a condition of approval of the proposal.”*

3. Two points fail to be made immediately:
  - 3.1. Section 38(3) specifies mandatory requirements for the report envisaged by Section 38(2). Those mandatory requirements are set out in sub-paragraphs (a) to (g) of sub-paragraph 38(3);
  - 3.2. Subsection (3), read with subsection (4), makes it clear that a staged process is prescribed:- a report which complies with the requirements of subsections (3)(a) to (3)(g) inclusive is to be furnished to the responsible heritage resources authority which will then consider the report and, after consultation with the person proposing the development, reach decisions on the factors enumerated in sub-paragraph (4)(a) to (4)(e) inclusive.
4. This is relevant to the process in relation to the Oude Moulen Precinct because the relevant Heritage Resources Authority cannot reach the decision-making process envisaged by Section 38(4) unless and until a report has been submitted which complies with the requirements of Section 38(3)(a) to (3)(g). The Revised HIA which has been submitted in relation to the Oude Moulen Precinct is simply not legally compliant. It does not address the statutorily required aspects listed in Sections 38(3)(a) to 38(3)(g) inclusive, adequately, or at all.

5. Furthermore, the relevant statutory provisions do not permit a process in which all of the mandatory requirements are either not addressed at all, or in which addressing the requirements, or some of them, is deferred to a later stage, yet the responsible heritage resources authority is nonetheless asked to make the decisions enumerated in Section 38(4)(a) to (e) on the basis of such a non-compliant report.
6. A report which is defective in those respects fails to meet the peremptory requirements and the responsible heritage resources authority cannot lawfully make any decisions on the basis of such a report.
7. Furthermore, the prescribed consultation with affected communities and other interested parties regarding the impact on heritage resources is reduced to a mere box-ticking exercise if the HIA reports do not cover the prescribed aspects or defer addressing such aspects until later. Community members and other interested parties are entitled to comment on reports which deal with all of the prescribed aspects. Even at the second attempt, the Revised HIA report fails to do so.

### **Living Heritage**

8. The phrase "*living heritage*" is defined in the National Heritage Resources Act as:

*"means the intangible aspects of inherited culture, and may include —*

*(a) cultural tradition;*

*(b) oral history;*

- (c) *performance;*
- (d) *ritual;*
- (e) *popular memory;*
- (f) *skills and techniques;*
- (g) *indigenous knowledge systems; and*
- (h) *the holistic approach to nature, society and social relationships;”*

9. The Revised HIA which has been furnished manifestly fails to deal with these aspects of living heritage, despite being called upon in terms to do so by Heritage Western Cape. These aspects are addressed more fully above and are not revisited here, save to note broadly that the response seemingly seeks to deny or diminish both the historical and living heritage of the Oude Moulen Precinct.