

# **Independent Rebuttal to the Revised Heritage Impact Assessment**

## **Oude Molen Eco Village**

I submit this rebuttal as an independent Interested and Affected Party in response to the revised Heritage Impact Assessment (HIA) for Oude Molen Eco Village (OMEV). My concern is not opposition for its own sake, but the integrity, fairness, and completeness of the heritage assessment process and the protection of a site that demonstrably functions as living heritage.

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## **Inadequate Public Notification and Participation**

The revised HIA was poorly advertised, with notice reportedly displayed in only one physical location. That notice is no longer present, having been removed by strong winds. Reliance on a single, impermanent notice cannot reasonably be considered sufficient public notification. Meaningful participation requires that information be accessible, visible, and sustained for the duration of the comment period.

There is also no clear record of alternative advertising methods, such as additional site notices, newspaper advertisements, digital platforms, or direct written notifications. Without such evidence, it is difficult to conclude that public participation requirements were properly met.

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## **Exclusion of Key Interested and Affected Parties**

Of particular concern is the apparent failure to notify certain statutory and institutional stakeholders, including CapeNature. This raises serious questions about how Interested and Affected Parties were identified and who was excluded from the process.

In addition, organisations and institutions that actively rely on OMEV for services, education, care, and rehabilitation appear not to have been consulted. These include social care organisations, schools participating in programmes on the site, and community beneficiaries of related trusts and initiatives. Excluding these stakeholders undermines the credibility of the assessment and results in an incomplete understanding of the site's social and cultural value.

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## **Unfair Timing of the Revised HIA**

The release of the revised HIA at the end of the year, combined with a 30-day comment period, places an unreasonable burden on Interested and Affected Parties. Many organisations and government bodies operate at reduced capacity during this period, limiting their ability to engage meaningfully.

Consultation that is technically open but practically inaccessible does not meet the standard of procedural fairness. A reasonable process must account for timing and context, not merely minimum timeframes.

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## **Unclear Rezoning and Planning Assumptions**

There is ongoing uncertainty regarding the zoning status of OMEV and the basis on which it is reflected as an Erf. Despite this, no clear rezoning approvals or land use documentation appear to be available. The existence of an Erf number ordinarily implies formal planning processes, yet these records are not readily accessible.

The revised HIA appears to rely on assumptions about land use rights that have not been clearly substantiated. Heritage assessments should be grounded in verified planning realities, not inferred or unresolved administrative positions. This lack of clarity weakens the foundation upon which heritage impacts are assessed.

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## **Evidence of Living Heritage in Practice**

OMEV demonstrates living heritage not as an abstract concept, but through continuous, place-based practice. The site's evolution from the former Valkenberg Estate into its current form reflects a sustained tradition of rehabilitation, employment, care, and skill transfer linked to the land and to horses.

There is a documented pattern of individuals associated with Valkenberg and OMEV being employed, trained, and later becoming employers themselves within the same landscape. This repetition across decades is evidence of intergenerational transmission of knowledge, values, and social function. Such continuity meets the criteria of living heritage and cannot be dismissed as incidental.

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## **Horses, Land, and Relational Heritage**

At OMEV, horses are not peripheral features but central to the site's cultural and social practices. They play an active role in therapy, rehabilitation, employment, and community engagement. The land itself supports long-established relationships between people, animals, and place.

Heritage assessments that focus solely on structures or development potential risk erasing these living relationships. Ethical and contemporary heritage practice requires recognition of heritage as lived, relational, and ongoing, not merely documented or architectural.

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## **Request for UNESCO Intangible Cultural Heritage Consideration**

South Africa is a State Party to UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage, which recognises social practices, knowledge systems, and community-based traditions transmitted over time. OMEV clearly aligns with these principles.

I respectfully request that Heritage Western Cape consider supporting or initiating steps toward the recognition of OMEV within national living heritage inventories, in cooperation with the South African Heritage Resources Agency. Such recognition would be consistent with South Africa's international obligations and would reflect a proactive approach to safeguarding heritage already under pressure.

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## **Conclusion**

Taken together, the shortcomings in public participation, stakeholder consultation, timing, planning clarity, and recognition of living heritage significantly undermine the reliability of the revised HIA. I urge Heritage Western Cape to address these issues thoroughly before relying on the revised assessment to inform any decisions affecting Oude Molen Eco Village.