

THE PROPOSED REDEVELOPMENT OF THE OUDE MOLEN PRECINCT

VISIONING WORKSHOP WITH FIRST NATIONS REPRESENTATIVES

KEY NOTES

DATE: 05 May 2021
VENUE: Oude Molen Hall
TIME: 11:30 – 13:00
FACILITATOR: Sadia Chand, Chand Environmental Consultants

1. ATTENDEES

FULL NAME	ORGANISATION
Sadia Chand	Chand Environmental Consultants
Laila Senaturo	Chand Environmental Consultants
Claudette Muller	Chand Environmental Consultants
Amozelle Lambrechts	WCG: Department of Transport and Public Works
Adriaan Mentz	SVA International Architects
Bridgette O'Donoghue	Bridget O'Donoghue Architect Heritage Environment Consultancy
Mida Korova	Nigel Burls & Associates
Nigel Burls	Nigel Burls & Associates
NAME	ORGANISATION
Chief Vincent Valensky	Kei Korana
Patrick Bandt	Goringhicona
Chief Herico Mark Smith	Goringhicona
Mark Orsen	Goringhicona
Malcom	Goringhicona
Senior Headwoman Beverly Malong	Kei Korana
Warren Benjamin	Goringhicona
Flip Bartman	Goringhicona
Faraah September	Goringhicona
Harold	
Desmond Matthys	First People of Western Cape
Sean Joshua Headsman	Goringhicona
Leonora Solomons	Hessequa
Raphael Stone	Goringhicona
Chief Glen	Kei Korana
Chief Melton	Kei Korana
Peter Rudolph	First Indigenous People of Western Cape
Senior Chief Phillip Pedro	Goringhicona
Senior Chief Shameemah Daniels	Goringhicona
Phenelope Headwoman Ruiters	Goringhicona
Desiree Rudolph	Goringhicona
Alphonso Davids	Goringhicona
Paramount Chief Aran	Goringhaicona Khoi Khoin Indigenous Traditional Council
NAME: OBSERVERS	ORGANISATION
Bathandwa Same	WCG: DTPW – Graduate Intern
Riphuluse Sy Muditambi	WCG: DTPW – Graduate Intern

2. PRESENTATION

Sadia Chand (SC) of Chand Environmental Consultants welcomed everyone and introduced the project team and the Project Manager representing, the Western Cape Government (WCG): Department of Transport and Public Works (DTPW). She explained that the purpose of the meeting was to, introduce the project and project team and share the information gathered by the professional team to date as well as to understand attendees' aspirations for the site for consideration in the vision development process.

She highlighted that the process was still at the beginning of the planning process and that this forum had been created to understand the preliminary key interested and affected groups, including the First Nations representatives' connections to and vision for the proposed development of the site. She highlighted that a multi-disciplinary professional team has been appointed for the Provision of Professional Services: precinct planning, specialist studies and impact assessments and relevant statutory applications for the Oude Molen Precinct.

The full presentation is contained in **Annexure A**.

Background information on the site and its location were introduced where after the baseline environmental context, as determined by specialists, was presented in terms of:

- Freshwater Aspects;
- Fauna – specifically the Endangered Western Leopard Toad; and
- Botany.

SC asked attendees to share any local knowledge on baseline conditions following each slide but no additional information was provided.

i) Heritage Aspects:

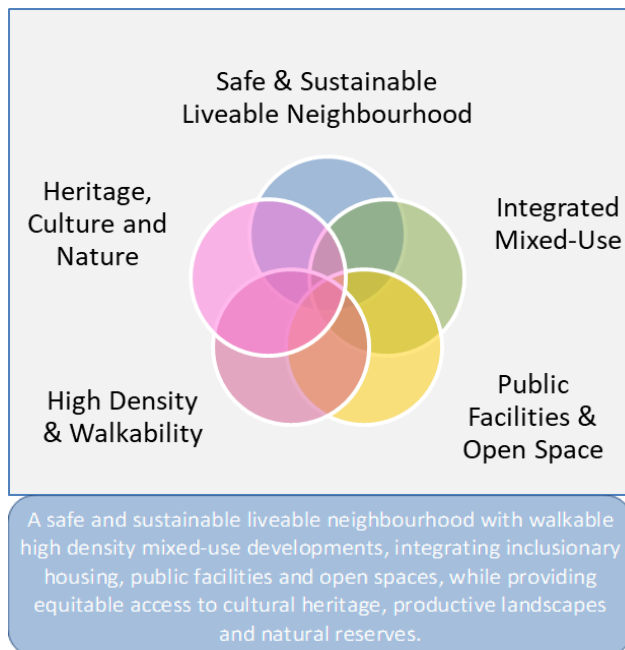
Heritage Aspects were presented by the heritage practitioner Bridget O'Donoghue. The following was highlighted:

- Completed Heritage Studies to date into this contract, includes a condition survey of buildings and trees on-site and investigating heritage design indicators and desired outcomes. These show that the site is complex from a heritage perspective with elements of high intangible and tangible cultural significance.
- Importantly, the First Nations may have connections to/memories of the site.
- Several buildings on site also have heritage value such as the Oude Molen Homestead, the Hall, F Wards, the Old Residence and the Mill.
- In the broader context, the natural environment of the Liesbeek River and Black River and associated riverine floodplains also hold significance
- In terms of statutory processes, a Notice of Intent to Develop (NID) was submitted to Heritage Western Cape (HWC) who confirmed that a Heritage Impact Assessment (HIA) must be undertaken to understand heritage impacts. The HIA will include a Social Impact Assessment, Archaeological Impact Assessment Visual Impact Assessment, Built Environment Study and Cultural Landscape Study. Once submitted, the application will be subject to a public participation process in terms of the required legislative framework.

ii) Urban design Aspects:

Urban design aspects were presented by Adriaan Mentz (AM). The following was highlighted:

- The main purpose of the project is to create a people-focused vision, with the following vision statement and key objectives :



Key objectives and vision statement of proposed re-development

- The anticipated and desired outcomes for the site include:
 - A Strategic location which allows for the redressing of spatial justice issues through inclusionary housing and work opportunities;
 - Increasing public transport services to the area and providing NMT infrastructure;
 - Formalising and celebrating the on-site spring;
 - Visually and physically integrating the site with its natural surrounds such as the freshwater resources and the mountain;
 - Formalising stormwater management to protect the adjacent conservation area;
 - Formalising a strategy to support the WLT;
 - Removing aliens and upgrade the botanical status of the site via landscaping;
 - Restoring heritage buildings; and
 - Recognising and celebrating the significant heritage elements on site, and to link to the Two Rivers National Route. **Post Session Note:** the correct term of this route is *Tussen Die Riviere Resistance and Liberation Heritage Route (RLHR)*.
- AM reiterated that people-orientated development is the main goal of the project and that the project team wish to understand the heritage and cultural layers of the site.
- Story boards of the early vision of the proposed re-development were presented which include the following urban design aspects:
 - Healthy green landscapes which integrate with buildings.
 - Buildings with soft edges on open streets.
 - Parking would be required and hiding parking could be considered.
 - Walkable streets.
 - Creation of meeting places
 - Residential buildings which are rich in character.
- It was stated that high-density development is being considered.

SC concluded the presentation by explaining that the information gathered from the visioning workshops and the baseline investigations will inform the development vision where after a draft conceptual layout will be generated. This draft layout will determine the need for an Environmental Impact Assessment (EIA). Future public participation engagements will also take place as determined by legislated processes.

The floor was opened for discussion. Attendees were encouraged to provide input in order for the project team to gain a better understanding of the site. As a starting point, SC asked attendees what their vision for the site is.

The key issues from the visioning exercise are summarised in the following section.

3. KEY ISSUES FROM DISCUSSION

1. INAPPROPRIATENESS OF STRATEGY EMPLOYED TO ENGAGE WITH FIRST NATIONS ORGANISATIONS

It was insisted that the material that was presented at the meeting be provided for invitees representing the First Nations. Only after engaging with the material outside of the session could input be provided. Attendees also wanted to understand the proposal and the "government's intentions" before commenting on the project.

Post-session clarification:

The approach used was the same for all I&APs informed by the size of the group and the Covid19 protocols to be observed. The Team chose not to share the presentation made at the preliminary public engagements prior to the meetings to mitigate the risk information being made public before the DTPW and the Team could introduce the Project properly. It was not the intention to keep attendees in the dark or catch them off-guard by not sharing the presentation prior to the actual session, but to protect the integrity of the consultation process.

The team will consider this request for future engagements in terms of associated risks and manage the process accordingly. It might be that these are managed via a legislative process and information will be public record before engagement.

2. SACREDNESS OF THE SITE TO THE FIRST NATIONS THUS KHOI AND SAN HERITAGE MUST BE INCORPORATED INTO DESIGN

The point was raised that the area in question is "where it all started" thus representation of Khoi & San heritage must form part of the vision for re-development. Suggestions included showcasing traditional cultural practices on site. It was asked that earthworks and excavations be carefully monitored in the case that any heritage material is unearthed. Khoi San leadership also desire to undertake the appropriate rituals on site before and during construction.

3. ISSUES AROUND LAND OWNERSHIP & CUSTODIANSHIP

It was voiced that the First Nations are the custodians of the land and not the government who "stole the land." The impression is that the government wants to "sell and remove the heritage of the First Nations." Belief that the land should be "given back" to the First Nations for them to live off the land, close to nature in a space which provides for meditation where their ancestors lived. The re-establishment of traditional "kraal-living" is also envisioned by some. Disapproval of high-density development was also expressed.

Post-session clarification:

The DTPW has custodianship of the property and any parties wishing to contest this have to use platforms and mechanisms established for this purpose. It is not the intention of this planning process or the proposed development to "sell and remove heritage." Heritage resources and related matters will be managed as prescribed by the respective legislation primarily the National Heritage Resources Act 25 of 1999.

4. TRADITIONAL KHOI-SAN LEADERSHIP ACT

The Principal Chief in attendance raised the issue of the Traditional and Khoi-San Leadership Act which came into effect on 1 April 2021. It is believed that the project is being "pushed through the system" for "heritage sites to be violated" before the country's Khoi and San leaders will enjoy official recognition and serve in the National and Provincial Houses.

Post-session clarification:

We are of the understanding that the Act does not assign powers in terms of property ownership and/or declaration of properties for heritage purposes which are guided by separate legislative frameworks and processes. The WCG currently holds the title for OMP which vests within Western Cape Government as the Custodian of land; and is thus within its rights to initiate development in a manner that is prescribed and in compliance by relevant legislation.

4. CONCLUSION

The Paramount Chief Aran representing the Goringhaicona Khoi Khoi Indigenous Traditional Council advised that all further communication would need to be through their Advocate of Public Relations.

The workshop was abruptly ended with no further official input from attendees.

It was agreed that attendees would be provided with the presentation made on 5 May 2021; where after written inputs may be provided following internal discussions.

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