

9 June 2021

Attention: Mr. D. Nesor

Chairman of Oude Molen Tenants Association EXCO

Preliminary Public Engagements Sessions 5 & 6 May 2021

Dear Mr Nesor,

Your correspondence dated 5 May 2021 addressed to CHAND regarding the above subject matter and received by the Directorate: Special Projects on 11 May 2021 has reference.

The Project Manager (PM) was alerted by the Professional Service Provider (PSP), CHAND, prior to the session with the OM Tenants on 5 May 2021 that there was some unhappiness expressed by the Chair of the OM TA EXCO related to the communication protocols not being adhered to. The PM and the Chair addressed this matter prior to the said session and reached resolution.

The established communication protocols with the Tenants on Oude Molen has been reconfirmed with the PSP Team and should be adhered to going forward in the OMP processes.

In direct response to the content of the letter, the following areas have been identified and herewith below is our considered response:

- a) **Vision and objectives:** We note the indication that the OM TA EXCO is in the process of developing a new vision with objectives for OMP. DTPW as Property Custodian has undertaken a planning process, and the engagement on 5 May 2021 with the EXCO was to inform the Committee of the intention to start the planning process, share information and obtain inputs that will guide the PSP Team when drafting a Vision and Conceptual Development proposals. The Directorate: Special Projects, is tasked by the Custodian with managing this planning process and welcomes the initiative to work on a vision as a group/interested and affected party and will consider the content when shared.

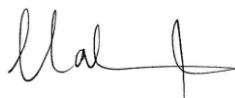
- b) **Communication protocols:** In addition to addressing this matter prior to the said session, we acknowledge the guidance in terms of managing future communication with the tenants, through the committee that has been established. Other project related communication, information and notices will be posted on the DTPW OMP webpage. <https://www.westerncape.gov.za/tpw/oude-molen-precinct-omp>
- c) **Information sharing:** We note the request to share information and presentations prior to engagements. For this particular initial engagement, the Team chose not to share the presentation prior to the session as a risk mitigation to avoid information being made public before the DTPW and the Team could introduce the Project formally. 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.
We will consider the 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.
- d) **Engagements with other groups:** The Team has identified preliminary key interested and affected party groups, as part of its communication strategy, to engage with this early in the process. There is no intention to be divisive to this Group or any other Group such as the First Nations Groupings. Key I&APs will be engaged with the same protocols and information; within the guidelines of gatherings into Covid-19 protocols to facilitate conversations (small groups), engagement with the various I&APs will be segmented in terms of similar interests. The public and I&APs will have further opportunities to participate and engage with the process through statutory public participation processes.
- e) **Clarity on the current process vs. previous public participation processes:** This engagement forms part of pre-planning consultation and subsequent consultation or public participation processes will follow as triggered by the various legislative prescripts.
- f) **Previous processes undertaken and its relevance to current process:** We acknowledge that there have been various processes undertaken in the whole TRUP area and Oude Molen specifically over the years, which has either been shelved or currently within a process. Reports emanating from these processes have been and are taken into consideration and, in as far as applicable, incorporated into this process as it links to the current mandate.
- g) **TRUP protection matter:** We are aware of the application made to the IGIC of HWC as well as the response from IGIC. We are also aware of the draft TRUP Phase 1 HIA which was submitted to IACom as well as comments from IACom and applicants' response to IACom. In addition, we are engaging with DCAS through the Steering Committee on heritage matters relating to TRUP with our focus on OM. We have also submitted a NID to HWC and are now initiating the various studies they have requested. NHRA triggered processes will be followed.

- h) **Mandate:** PSPs are mandated by DTPW (through the Directorate: Special Projects) by appointment and contract to prepare a precinct plan, associated impact assessments and specialist studies and rezoning of the property to acquire development rights on behalf of DTPW, being the custodian. The mandate of this process currently undertaken will not result in development, that is a separate process. The current process is to acquire development rights. It should be noted, as also confirmed at the session on 5 May 2021, that rezoning has to take place irrespective of whether development takes place or not so as to regularize what is happening on the property.
- i) **Objection to process being followed:** The objection raised relating the process followed has been noted. However, it must be stated that the first notice was provided by DTPW to the Tenants Association through the Property Manager at the tenants' AGM in March 2021. This was followed by a flyer distributed to individuals and groups on the preliminary database. The process being followed has been guided by SPLUMA Precinct Planning guidelines.
- j) **Environmental and Heritage processes:** In the session on 5 May 2021 the Team communicated that the consultation is very early in the process, that there is no concept on the table to consider whether NEMA is being triggered. In terms of heritage, the Team communicated that a NID was submitted and HWC provided a formal response. These processes will be guided by the relevant legislation and guidance from the relevant accountable authorities. Public participation in this regard will be legislated and managed in terms of the applicable legislation.

We would like to thank the OM TA EXCO and other attendees of the session on 5 May 2021 for sharing information, knowledge and participating. We are looking forward to future meaningful participation.

You are also welcome and encouraged to address any Project matters and questions directly to the Project Manager, Ms Amozelle Lambrechts via Amozelle.Lambrechts@westerncape.gov.za.

Kind Regards,



Lindelwa Mabuntane
Director: Special Projects

Cc: Mr R Solomons (OM TA EXCO Secretariat)