

**SUPPLEMENT**  
to  
**A HERITAGE IMPACT ASSESSMENT**  
regarding  
**THE PROPOSED DEVELOPMENT**  
of  
**THE RIVER CLUB SITE,  
OBSERVATORY, CAPE TOWN**  
for consideration by  
**HERITAGE WESTERN CAPE**  
and  
**THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT  
PLANNING**  
in terms of Section 38(8) of the National Heritage Resources Act  
and  
the National Environmental Management Act and Its Regulations

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## 1 Introduction:

This document is a *Supplement* to the *Heritage Impact Assessment* dated 2 July 2019 which was submitted to Heritage Western Cape in July, discussed by HWC's Impact Assessment Committee on 22 August 2019, and commented on in the written *Interim Comment* from HWC dated 13 September 2019.

By way of introduction we note that, while explicitly under NEMA (and, therefore, section 38(8)), a NID was submitted by Bridget O'Donoghue on behalf of Leisbeek Leisure Properties Trust to HWC in December 2015; and HWC responded in January 2016 confirming that an HIA "that satisfies the provisions of section 38(3) of the NHRA" was necessary and that it should include "an archaeological study and highlighting the urban design framework of the proposed development".<sup>1</sup>

In due course, O'Donoghue submitted a *Phase I HIA* to HWC with an attached peer review by Dr Nicolas Baumann in February 2017.

However, given that a *Phase I HIA* by Melanie Attwell and Graham Jacobs and a draft *Situational Analysis Report* by Nisa Mammon dealing with the wider TRUP area (henceforth, "the Two Rivers area" or "TR-area") were being considered at the same time, the O'Donoghue *Phase I HIA* was withdrawn before being considered by HWC.

After this interruption, in September 2017, we, Townsend and Hart, took over the responsibility of compiling the HIA.

Subsequently, we presume prompted by these submissions in the first half of the year, in November 2017 HWC announced its intention to provisionally protect the entire Two Rivers area and invited comment. However, later, in March 2018 HWC provisionally protected the River Club site *only* under section 29 of the Act. This led to a separate appeal process (to the MEC who appointed a Tribunal to address this) which is still under way.

Also, in October 2018 and referring to the River Club provisional protection as "background", HWC sought an external service provider to conduct a "heritage assessment" of the wider TRUP area.<sup>2</sup> We note that these terms of reference made no reference to the interest of First Nations or to the TR-area as the site of a "National Khoisan Legacy Project"; and we note also that HWC was unable to find and appropriate "external service provider"; we note also that although it is now more than two years since HWC announced its intention to provisionally protect the entire TR-area, it has not yet begun any investigation or any negotiation/consultation which could lead to the alleviation of any threat, real or imagined.

Initially, the provisional protection by HWC interrupted the process of researching and drafting the HIA (and seeking comment from IAPs); but, in July 2019, the HIA was ultimately submitted to HWC, the IA Comm considered the matter at a meeting on 22 August 2019 and commented in an *Interim Comment* dated 13 September 2019.

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<sup>1</sup> HWC, *Response to NID*, 7 January 2016.

<sup>2</sup> HWC, *Terms of Reference: Appointment of a Service Provider to Undertake a Heritage Assessment of the Two Rivers Urban Park, etc*, undated.

This brief skeleton of the steps in the process of compiling the HIA is sketched to orient the reader and to give a framework for some of our responses to argument made by HWC in its *Interim Comment*.

While the *Interim Comment* contains a great number of statements and arguments (with one apparently central and reiterated argument) rationalising the comment as “interim”, it seems to us that the matter is rather simpler. Indeed, it seems to us that there are just two issues which could reasonably be cited as reasons for the HIA to be deemed to be “inadequate” or “incomplete”. These are: first, an incomplete engagement with and representation of First Nations’ interests and views; and, second, the contradictions and inconsistencies of the land-use planning development frameworks and policies for the wider environs.

In this *Supplement* to the *Heritage Impact Assessment of 2 July 2019* we deal with these two issues in sufficient detail (we hope and trust) for HWC to articulate a “final comment” in respect of the development proposed; we also deal with a variety of other issues which HWC has contested and which might otherwise be argued to be unresolved (or incompletely or inadequately dealt with); and, finally, we give up-to-date details of the development proposal<sup>3</sup> as refined in response to commentary made in the NEMA, NHRA and MPB-L processes including, of course, responses to the input and effects of two reports by Rudewaan Arendse (of AFMAS Solutions) dealing with the views of several First Nations groupings, first, in respect of the wider Two Rivers area (eight groupings) and, second, in respect of the River Club site (five groupings).

## 2 Engagement with First Nations Groupings:

HWC says in the *Interim Comment* that “(i)t is clear to HWC, however, that there has been a lack of, or avoidance, of a meaningful consultation with the First Nation groups”.<sup>4</sup>

In this regard, we note the following:

- HWC did not make any reference to the First Nations in its response to the NID in early 2016 or to the Phase I HIA compiled by Bridget O’Donoghue and submitted to HWC in March 2017 which did not make reference to any such engagement;
- HWC’s own attempts in late 2018 to find an “external service provider” to assess the wider TR area makes no reference to the First Nations or the necessity of their interests in either the wider Two Rivers area or to the isolated River Club site and nor could they find an appropriate external service provider;
- the HIA does, however, describe the history of the site and the wider environs and its historical importance;
- the HIA also details the numerous attempts to engage with representatives of and/or with First Nations groupings;

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<sup>3</sup> The section on the revisions to the development proposal, section xx of this *Supplement* to the HIA, are derived from *The River Club, Observatory: Supplementary Information*, a report of November 2019 by Planning Partners, Paragon Architects and Vivid Architects, submitted on behalf of Zenprop to the City of Cape Town.

<sup>4</sup> HWC, *Interim Comment*, 13 September 2019, p9.

- the HIA does also allude to the extensive endeavours of the owners over the past several years to meet First Nations groupings and HWC was aware of the support for the development of the site from the Gorinhaiqua Cultural Council received just before the IA Comm meeting;<sup>5</sup> and
- while the HIA does not include an account of the endeavours made to find an expert on intangible heritage to assist in this regard, these efforts included conversations with numerous potentially appropriate parties over much of the period between the first comment made by the Goringhaicona Traditional Council in late 2018 on the provisional protection of the River Club and the completion of the HIA in July 2019.

Given these endeavours and given the iterative processes described in section 5. **Consultation and Commentary of Interested Parties** of the *HIA* and given that HWC recognises that the “formal notice and commenting procedure” has been “complied with”,<sup>6</sup> HWC’s accusation that engagement with First Nations groupings was “avoided” is denied.

That said, we turn now to two recently completed reports by Rudewaan Arendse of AFMAS Solutions: the first is the *TRUP First Nations Report* dated 25 September 2019<sup>7</sup> which was prepared for incorporation into the recently released (on 12 November) draft land-use planning local area spatial development framework being prepared by the City Council and the Western Cape Provincial Government (more about this LSDF below); and the second is the *River Club First Nation Report* dated November 2019<sup>8</sup> which was commissioned by Liesbeek Leisure Properties Trust specifically to add to the efforts made to date and, given Arendse’s success in interacting with several First Nations groupings in the process of the preparation of the land-use planning local area spatial development framework just referred to, to contribute to this *Supplement*.

The first of Arendse’s reports referred to, *TRUP First Nations Report*, is rather more generally framed and addresses what has been raised by eight First Nations groupings in connection with the wider Two Rivers-area and, indeed, an even wider area including the entire length of the Liesbeek and its confluence with the Black River and the Salt River all the way to the sea. We do not refer to it in detail but, because it is the background to the second of his reports, we note the following:

- that the landscape referred to as “indigenous” and made numinous by the First Nations’ understandings is much wider than the Two Rivers area (to say nothing of the River Club site):

*“the indigenous landscape, is not circumscribed by precinct boundaries - considered by indigenous custodians as value-laden lines that designate formal political and economic divisions between outsider-designated and*

<sup>5</sup> Jeremy Jackson, Chief Counsel to Chief Zenzile Khoisan, Gorinhaiqua Cultural Council, Letter dated 20 August 2019 submitted to the IA Comm.

<sup>6</sup> HWC, *Interim Comment*, 13 September 2019, p9.

<sup>7</sup> Arendse, Rudewaan, 25 September 2019, *TRUP First Nations Report*, a report prepared by AFMAS Solutions for the Provincial Government of the Western Cape (Transport and Public Works).

<sup>8</sup> Arendse, Rudewaan, November 2019, *River Club First Nation Report*, a report prepared by AFMAS Solutions for Liesbeek Leisure Properties Trust.

*imposed territorial units, which are viewed by First Nations as zones of contestation between the establishment and the subaltern. For the purposes of this report, the boundary of the indigenous landscape is defined as a line instantiated by the indigenous collective memory of the footprints of the ancestors.”<sup>9</sup>*

- that the First Nations seek recognition of their history or “narrative” and its importance through an “indigenizing” of the TR-area and its “transformation to a commemorative landscape”:

*“It’s the collective aspiration and contention of the First Nations, that this remaining - fragmented - landscape, be authenticated as an indigenous commemorative landscape with distributed spaces of engagement and indigenous place-making, spanning different precincts (whilst acknowledging the co-existence of other, non-indigenous layers of heritage). Indigenizing the TRUP landscape and transformation to a commemorative landscape, can be achieved by using land, space and physicality, to give form, structure and functional expression, to the intangible cultural heritage of the Khoi and San. This materialized indigenous landscape would then be activated and enlivened through negotiated and enshrined indigenous cultural practices and heritage activities.”<sup>10</sup>*

- that these aspirations can be implemented by structuring the narrative into the UNESCO intangible heritage ‘domains’ which can then be made tangible through “embodying” the narrative in the landscape and through “enshrining” access to this landscape:

*“This task involves embodying of the intangible/s in each of the ICH domains; which is achieved through using land, space and physicality to give it form, structure and functional expression.”*

*“Embodied intangibles allow for the landscape to be activated and enlivened (culturally cultivated) through indigenous cultural practices and heritage activities.”*

*“Enshrining indigenous people’s physical access to a TRUP landscape, as field of materialized intangible cultural heritage, facilitates ensoulment and reconstituting of indigenous identity through the First Nations reconnecting their identity with place-based indigenous spirituality and the ancestral domain.”<sup>11</sup>*

This report, Arendse’s first report, also introduces a number of precedents which he uses to imply or suggest some mechanisms or strategies for spacializing the “indigenous narrative” and embodying the indigenous narrative within the landscape. These strategies are given more ‘substance’ in Arendse’s second report which deals specifically with the River Club site as a part or precinct within the TR-area and

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<sup>9</sup> Arendse, 25 September 2019, p3.

<sup>10</sup> Ibid. p32.

<sup>11</sup> Ibid. p33.

within the wider locality frequented and occupied by the pre-colonial indigenous people and within which the historical events of the early years of colonial settlement took place.

While parts of the indigenous narrative presented by Arendse in both reports, repeating the words of the leaders and representatives of the First Nations groupings, read as autochthonous, even 'popular', histories and are perhaps relatively free interpretations of documented events, it would serve no purpose to argue the details of these interpretations here. Indeed, it is our hope that the River Club development will provide a meaningful locus/place for and of the realisation of the First Peoples' greatest desire, a proper and formal recognition and articulation of *their* narrative(s).

Arendse's second report, the *River Club First Nation Report*, sets out to:

- understand the significance of the River Club site to the First Nations by identifying indigenous intangible cultural heritage specific to the River Club;
- locate the River Club site within the indigenous narrative of the broader TR cultural landscape;
- identify First Nation aspirations with regard to indigenous cultural heritage and the River Club site; and
- implement the recommendation of the TR report that "*acknowledging, embracing, protecting and celebrating the indigenous narrative be a heritage related design informant that informs*" precinct and site planning and development of the River Club property.<sup>12</sup>

Arendse's second report, of some 90 pages, is an independent 'stand-alone' report and we do not attempt to summarise it here; and we argue that the authorities, both the DEADP and HWC, should read and take account of its contents and argument and, in particular, the aspirations of the First Nations in respect of its proposals for the implementation of the strategies for actualising or realising the First Nations' narrative(s) in the planning and development of the River Club property. As alluded to earlier, we stand by our articulation of the history of the site and environs described in section 4. **The History of the Place**, pp34-49, and that articulated by Attwell and Jacobs in their *Phase 1 HIA* for the TR-area and their supplementary study on the history of the D'Almeida event; but we do not contest the account of the First Nations and we suggest rather that this history is a true *heteroglossia*.<sup>13</sup>

However, we accept and support Arendse's views on implementing the indigenous imperative at the River Club site and we propose that they present a real opportunity for the realisation of First Nation aspirations.

These views, which have been articulated and developed in engagements between the First Nations collective and the developer, have been agreed to and have been explored in some detail in revisions to the proposal. In essence, this comprises "indigenizing the site through the following place-making mechanisms:

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<sup>12</sup> Arendse, November 2019, p1.

<sup>13</sup> Bakhtin, Mikhail, 1981 [1934], *The Dialogic Imagination*, p291.

1. Establishing an Indigenous Garden for medicinal plants used by the First Nations;
2. Establishing a Cultural, Heritage and Media centre at the location of the Heritage information hub;
3. Establishing a Heritage-Eco trail that goes around the site;
4. An Amphitheater for use and cultural performances by both the First Nations and the general public.
5. Commemorating the history of the First Nations in the area, by:
  - a. Establishing a Gateway Feature inspired by symbols central to the First Nations narrative at the road crossing the eco-corridor; and
  - b. Incorporating symbols central to the First Nations narrative in detailed design of buildings (e.g. pillars / supports, facades, building names, etc.); and
  - c. Naming internal roads inspired by people or symbols central to the First Nations narrative.”<sup>14</sup>

And the implementation of these mechanisms is to be assured through the following institutional arrangement which has been agreed to in principle by the developer:

“The First Nations Collective led by the Gorinhaiqua Cultural Council, in discharging its traditional duty of custody over not only the River Club site, but all of the precincts of the Two Rivers area; and in exercising its internationally recognized right of Indigenous cultural agency, is in the process of establishing a legal entity that will be responsible for the post-establishment governance, planning, management, operations, maintenance and sustainability of the aforementioned indigenous place making mechanisms. This entity will be a fully autonomous indigenous entity, whose Indigenous access and negotiated rights as, articulated above as the elements of the First Nations Imperative, will be enshrined in a formal agreement between the envisaged First Nations legal entity led by the Gorinhaiqua Cultural Council, and the Community Property Association of the development.”<sup>15</sup>

We note in concluding this section that several First Nations groupings and the First Nations Collective led by the Gorinhaiqua Cultural Council explicitly and clearly support the development proposal: for example, a five-page letter from the Gorinhaiqua Cultural Council signed by Chief !Garu Zenzile Khoisan<sup>16</sup> articulates its support clearly and cites the concurrence of several other leaders of different groupings;<sup>17</sup> another letter from the Goragouqua signed by Kai bi’a Hennie van Wyk articulates their position; and Chief !Garu Zenzile Khoisan has responded publicly in the media to articles attacking the application and proposal explaining the reasons for the support of “the majority of senior indigenous leaders and their councils in the Peninsula” unambiguously.<sup>18</sup>

<sup>14</sup> Arendse, November 2019, p86-87.

<sup>15</sup> Ibid. p87.

<sup>16</sup> Khoisan, Chief !Garu Zenzile, 7 November, 2019, Letter addressed to Heritage Western Cape, contained in Arendse, November 2019, pp48-52.

<sup>17</sup> Ibid. p5 (of the Letter), in Arendse, November 2019, p52.

<sup>18</sup> Khoisan, Chief !Garu Zenzile, Right of Reply Letter in *The Citizen*, 28 November 2019.



While it is apparent that there are some First Nations groupings who do not share this view, this First Nations Collective is authoritative; and Arendse's report is persuasive in its method, its argument and in its conclusions; and we hope and trust that Arendse's report and the incorporation of its conclusions/recommendations here in this *Supplement* to the *HIA* and in the revised development proposal will satisfy HWC at least insofar as there has been "meaningful engagement" with First Nations groupings. Indeed, we think that the interactions have been more than "meaningful".

### **3 Land-Use Planning in the Two Rivers Area:**

In its *Interim Comment* HWC argues ambiguously that (a) there is no reason for the property owners of the River Club not to compile and submit an HIA in respect of a development proposal for the River Club site and (b), notwithstanding the absence of clear land-use planning frameworks for the area, that it, HWC, has iteratively (at various times during the steps outlined above) contended that development of the River Club site should necessarily not be planned or assessed "in isolation from" the wider TR-area.

The *HIA* does deal with this issue and it describes the extant land-use planning frameworks under two heads: **5.2.3. Spatial Development Frameworks** and **5.2.5. Planning for the Two Rivers Urban Park** (see pp57-58 and 59-60).

However, given the recent release by the City Council ("the City") of a draft local area spatial development framework (LSDF) in terms of the MPB-L, we re-state the land-use planning mechanisms pertinent in an assessment of the development proposed at the River Club site now including this new local area SDF. While outlining the most important (from a heritage management point of view) components of their assessment here, we refer the reader to Planning Partners' recent submission to the City in respect of the land-use planning applications.<sup>19</sup>

**First**, the *Two Rivers Urban Park Contextual Framework and Phase 1 Environmental Management Plan* compiled by the City's Environmental Management Branch in 2003, while 'adopted' by the Council itself in August 2003, is not legally binding. Indeed, the City's Legal Services has explained that while the report was, at least in part, prepared to fulfill the Provincial Administration's requirement for a management plan in proclaiming the bird sanctuary inside the TRUP, it was not adopted as a structure plan in terms of LUPO and does not have formal status as such and that, in the absence of formal structure-plan status, it must be regarded as a guideline only.

**Second**, the 2012 formally adopted *Municipal Spatial Development Framework* (MSDF), the land-use mechanism for the guiding and managing of urban growth and the balancing of competing demands, designates most of the River Club site as "Urban Development" and it makes no reference to the 2003 *Two Rivers Urban Park Contextual Framework and Phase 1 Environmental Management Plan*.

In 2018 the MSDF was revised and updated; and the River Club site was designated as part of the "Urban Inner Core" where the City is committed to targeting investment

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<sup>19</sup> Planning Partners (with Paragon Architects and Vivid Architects), November 2019, *The River Club, Observatory: Supplementary Information*, a report submitted on behalf of Zenprop to the City of Cape Town.

and development.

**Third**, the *Table Bay District Plan* (TBDP), prepared in 2012 as part of more detailed planning associated with the 2012 MSDF, designates the River Club site as “open space”. This designation was based on information known at the time before the more detailed hydrological studies associated with the River Club had been undertaken and it was assumed that the site had limited development potential due to flood risk. Also, this TBDP contains anomalies including the designation of the neighbouring PRASA site, with its rail yards and sheds, as a green open space, questioning this plan’s accuracy and relevance; and, finally, with the promulgation of the 2018 MSDF, the relevance of the 2012 *Table Bay District Plan* was further diminished as the “Consistency Principle” set out in the Technical Supplement of the MSDF requires lower order (district or local area) spatial plans and policies to be consistent with higher order (municipal) spatial plans and policies. Given that the MSDF identifies the River Club site as “Urban Inner Core”, the lower order Table Bay District Plan, which is inconsistent with the higher order MSDF, cannot be invoked to inhibit development at this site.

**Fourth**, subsequent to the completion of the HIA (and of the *Interim Comment*) the City has recently released the draft *Two Rivers Local Spatial Development Framework* (“Draft LSDF”)<sup>20</sup> for public comment. It is intended that this will have the status of an LSDF under Section 12 of the MPB-L; and it deals with the land previously known as the Two Rivers Urban Park (“TRUP”), now to be known as the “Two Rivers area” that extends from the PRASA land in the north to the N2 freeway in the south and from the sports fields lining the Liesbeek Parkway in the west to the industrial area of Ndabeni and parts of Pinelands in the east.

Importantly, this *Draft LSDF* changes the vision of and for the area: while “(t)he previous vision... promoted a New York style Urban Park, or ‘doughnut’ with a green/park core and high rise buildings on the edges” this new Draft LSDF argues that “this somewhat utopian vision does not deal with the reality on the ground or with the current mandate and current National imperatives in SPLUMA”.<sup>21</sup> In the revised vision, the *Draft LSDF* identifies the area as “a significant area of underutilized, state owned and private land, strategically placed within the Urban Inner Core of the City” with opportunities to promote public transport and urban integration and to unlock development potential where, “(a)t the same time, the ecological role of the river corridors, the importance as a regional amenity and significance placed on the cultural and built heritage must be enhanced”.<sup>22</sup>

The findings and conclusions of the *Draft Two Rivers LSDF* are represented in two diagrams:<sup>23</sup>

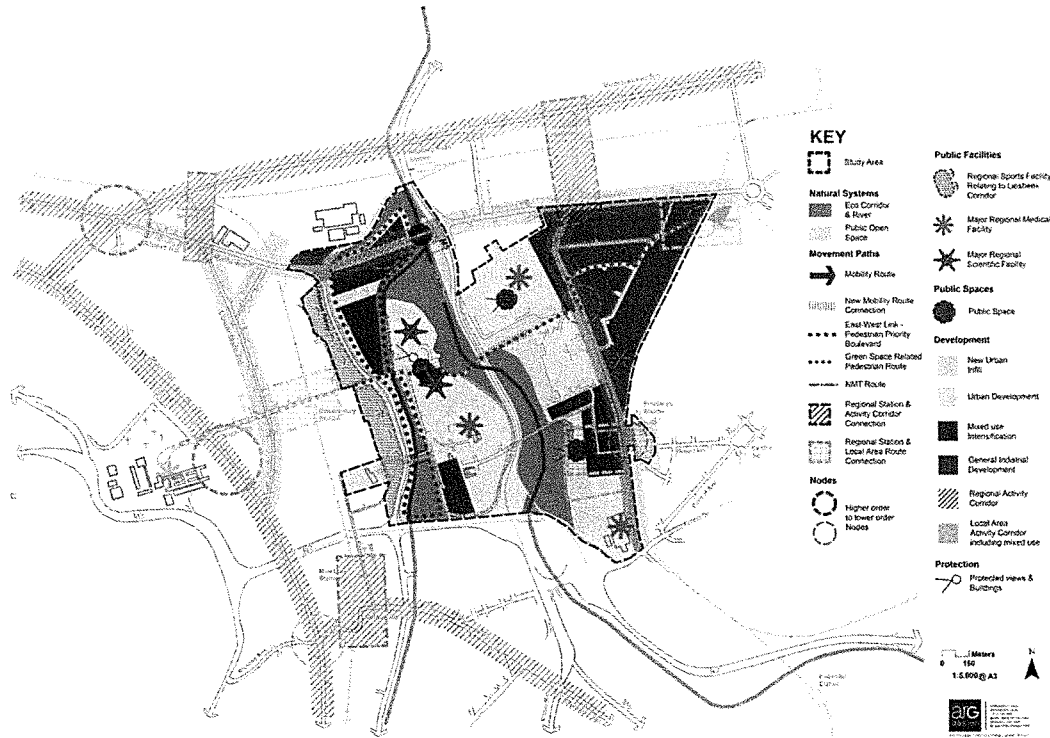
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<sup>20</sup> ARG, Oct 2019, *Two Rivers (LSDF) Local Spatial Development Framework (Draft October 2019)*, a spatial development framework prepared jointly by the City Council, the Western Cape Government, and a team of transport, civil engineering, environmental, heritage, urban design and land-use planning consultants headed by ARG, Architects and Planners.

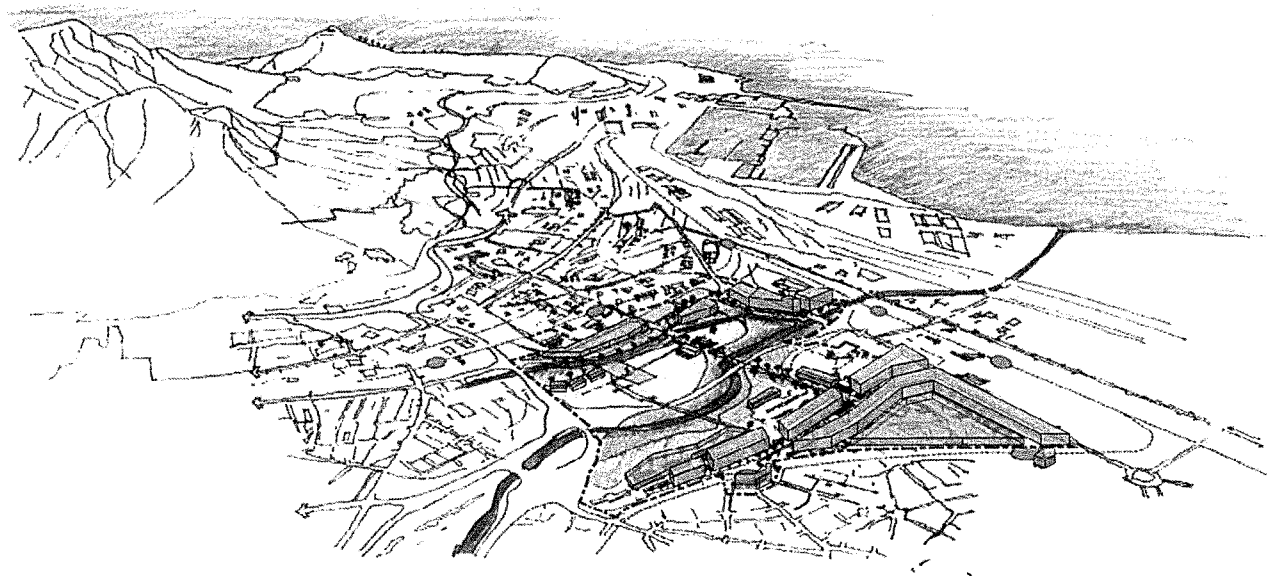
<sup>21</sup> Ibid. p8.

<sup>22</sup> Ibid. p11.

<sup>23</sup> Ibid. p111 and 112.



**Illustration 1: Spatial Development Framework Diagram Concept (Draft Two Rivers LSDF, Fig. 6.10, p111)**



**Illustration 2: Composite LSDF overview, artist's impression (Draft Two Rivers LSDF, Fig. 6.11, p112)**

Although this *Draft LSDF* is a draft, it nevertheless reflects the current views and land-use planning intentions of the two authorities. We note too that this *Draft Two Rivers Local Spatial Development Framework* includes the explicit and detailed contributions and input of Cindy Postlethwayt's *Draft Phase I Heritage Impact*

Assessment for the Site 'Two Rivers' dated September 2019<sup>24</sup> and Rudewaan Arendse's *TRUP First Nations Report* dated 25 September 2019;<sup>25</sup> and we note that the more detailed and focused conclusions and recommendations regarding the "implementation of the indigenous imperative" of Arendse's River Club First Nation Report dated November 2019 outlined in section 2 above are perfectly consistent with this draft LSDF.

With respect to the River Club site, the following provisions in the *Draft Two Rivers Local Spatial Development Framework* are significant:

- the Berkley Road extension is identified both as a new mobility route and as an activity corridor;
- the continuity of the Liesbeek River is promoted along the eastern side of the site with the canal transformed into an eco-corridor;
- the pre-1952 river course between Liesbeek Parkway and the western side of the site is identified as public open space with a green-space-related pedestrian route;
- a significant open space corridor is provided across the River Club site running east - west between the newly restored Liesbeek River and the old pre-1952 course; and
- the remainder of the River Club site is identified for mixed use intensification in two precincts on either side of this east - west open space corridor.

Given this, it seems to us that the proposal analyzed in the *HIA* is generally in accordance with these recent land-use planning developments, that is, the preparation of and public circulation of these three land-use planning and heritage studies; and we trust that HWC will now accept that the River Club site and its development is not being planned or assessed "in isolation from" the wider TR area. Indeed, it appears to us that the River Club proposal and these various land-use planning and heritage planning endeavours are consistent with and 'in synch' with each other.

While we have dealt with this issue comprehensively both in the *HIA* and in this *Supplement*, we argue that this is not a statutorily required component of HIAs; and HWC's implied claims that the *HIA* is *inadequate* in this respect are mistaken.

#### **4 Identification and Mapping of Heritage Resources:**

In the *Interim Comment*, HWC states that it "is of the view that this requirement (to identify and map all heritage resources in the area affected) has only been partly complied with".<sup>26</sup> Noting that the *HIA* includes a lengthy section describing the heritage resources on the site and in the area (section **6. Identification of Heritage Resources**, pp70-80), we trust that the following will make good any perceived inadequacy:

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<sup>24</sup> Postlethwayt, Cindy, September 2019, *Draft Two Rivers Heritage Impact Assessment for the Site 'Two Rivers' (formerly TRUP)*, a report prepared for the Provincial Government of the Western Cape (Transport and Public Works).

<sup>25</sup> Arendse, Rudewaan, 25 September 2019, *TRUP First Nations Report*, a report prepared by AFMAS Solutions for the Provincial Government of the Western Cape (Transport and Public Works).

<sup>26</sup> HWC, *Interim Comment*, p4.

**First**, we copy here the City Council's grading map which we note ordinarily serves as adequate "identification and mapping of the heritage resources in the area affected":



**Illustration 3: City Council grading map: the River Club site is roughly circled (CoCT, Zoning Map viewer)**

This diagram was not included in the HIA because several of the gradings near to the site are wrong or outdated, for example, the so-called Black River Office Park site is shown as a sports ground and the SAAO site, a grade I and declared national heritage site, is shown to be ungraded and, the River Club buildings apart, the River Club site itself is ungraded (although we concur that its grading should be a low one).

**Second**, we copy here Attwell and Jacobs' "composite diagram of heritage areas, potentially sensitive sites and heritage resources" which implies a rather different set of criteria:<sup>27</sup>

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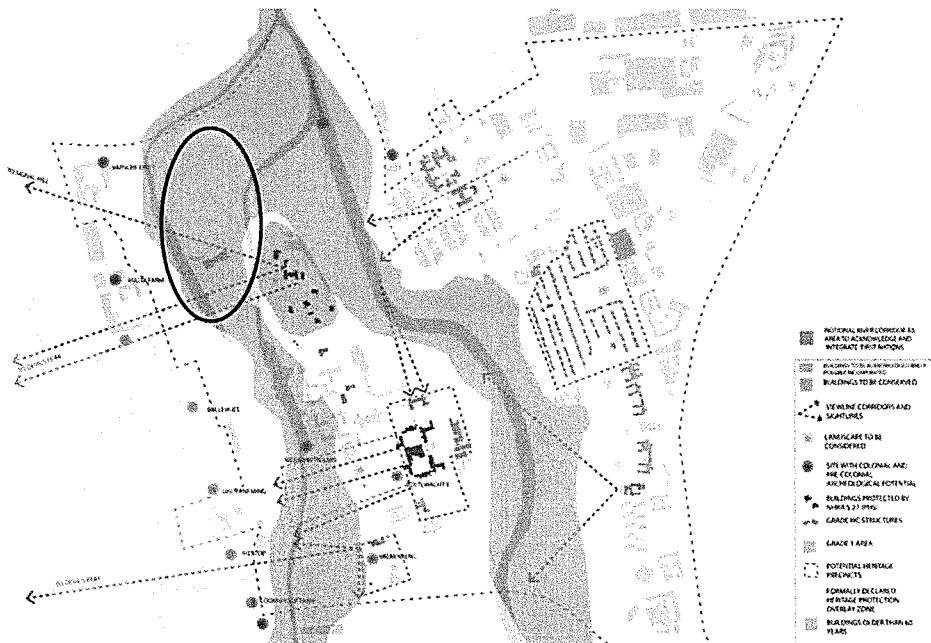
<sup>27</sup> Attwell, Melanie and Graham Jacobs, October 2016, *Two Rivers Urban Park, Cape Town: Baseline Heritage Study*, a study commissioned by Western Cape Provincial Government, Diagram 05, p103.



**Illustration 4: Identification of heritage resources (Attwell and Jacobs, Diag.5, p103); the roughly circled River Club site is added to orientate the reader**

This diagram was not included or referred to in the HIA because we think that the diagram does not identify or capture the significances of the heritage resources in the area.

Third, we copy here Cindy Postlethway's composite diagram of "tangible and some intangible heritage resources".<sup>28</sup>



**Illustration 5: Tangible and some intangible heritage resources (Postlethway, Fig.28, p36); the roughly circled River Club site is added to orientate the reader**

<sup>28</sup> Postlethway, op.cit. Fig.28, p36.

As Postlethwayt's study dates from September 2019, it is self-evident that its findings could not be included in our *HIA* of 2 July 2019. However, we note that, the addition of some "viewlines and corridor sightlines" and the large amorphous area covering parts of the floodplains of the Liesbeek and Black Rivers and described as "notional river corridor as area to acknowledge and integrate First Nations" apart, this diagram follows Attwell and Jacobs' diagram closely. We will explain our disagreements later in the discussion on significances.

Given these three illustrations from three different sources and our summarizing diagram on p117 of the *HIA* (mapping our view of the "current significances of the riverine topography as cultural landscape"), we trust that it is not necessary to repeat or devise a fourth diagram (even if we do not agree with the identifications in the CoCT grading map or in Attwell/Jacobs' or Postlethwayt's diagrams) and we trust that HWC will accept that the heritage resources in the area affected are adequately identified and mapped (notwithstanding any differences in opinion). In any event, we will further address this issue in the following section when discussing the significances of the tangible heritage resources on the site and in the affected area.

## 5 Assessment of Significances:

In the *Interim Comment*, HWC states that it "is of the view that the assessment of significance is inadequate". We dispute this for the following reasons:

- given that we discuss significance at great length in several lengthy sections, **7. Significances**, pp79-84, **8. Heritage-Significance Related Design Indicators – Criteria for Decision-Making**, pp85-106, and **10. Assessment of Impacts on Heritage**, pp109-117, totaling approximately 35 pages in the *HIA*, it is difficult to accept that the assessment of significance is "inadequate": HWC can, of course, disagree with our articulations and conclusions regarding the significances, but in this instance it is difficult to understand how this could be described as "inadequate";
- it is clear that the writers of the *Interim Comment* have not recognized (or they disagree with) the range of scales which we have taken into account in describing the range of significances of the site, the immediate environs, the wider environs, and of the whole length of the Liesbeek River as a heritage resource and/or resources;
- it is clear too that HWC often elides the wider site (including both rivers and their floodplains) with the site in question;
- it seems that HWC has not recognized (or they disagree with) the essential underpinning logic or argument of the *HIA* regarding or assigning relatively low *current* significances and/or value of the lower reaches of the Liesbeek floodplain (and of the site in particular) and the two river courses (stormwater ditch and canalized river) as place and/or as a (tangible) heritage resource despite the high *historical* significance of the immediate and wider environs; and
- in this last respect, it seems that HWC has an incomplete grasp of the relationship between "significance" and "authenticity" arguing that "(t)he concept of significance is broadly underpinned by authenticity".<sup>29</sup> This is a curious formulation of the relationships between the two concepts: indeed, our

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<sup>29</sup> HWC, *Interim Comment*, p6.



argument is precisely that significance has two 'dimensions', a dimension of quality or type<sup>30</sup> and a dimension of quantity or extent,<sup>31</sup> whereas authenticity (in respect of places like the case at hand) has a number of dimensions (or attributes) including form, substance, function, location/setting, traditions and practices;<sup>32</sup> and, importantly, we argue that in the case of the River Club site significance and authenticity are considerably affected by its "integrity", a "measure of the wholeness and intactness of the natural and cultural heritage and its attributes".<sup>33</sup>

Briefly, the first part of our argument is that the historical significance of the site is high but that the ecological, topographical, visual significances are (currently) low from a heritage perspective as a consequence of the loss of authenticity (location apart) and of a reduced integrity. The second part of our argument has it that the recovered integrity of the Liesbeek River course as an ecologically functioning riverine-corridor is also (or would be) a recovery of several attributes of authenticity and, therefore, a recovery/restoration of several attributes of significance.

This has been argued at great length in the HIA; and, indeed, it seems that all parties are agreed that the River club site is a part of a much larger highly significant cultural landscape. It is clear, however, that we are not agreed about the implications of related questions about the authenticity and/or integrity of the (actual/ physical) place and its components and surrounds as it is today.

In this regard, we include an aerial photograph of 1934 which shows the following:

- the Black River is canalised (presumably concrete-sided and floored) to a point more or less in line with an extension of Station Road;
- the Liesbeek River-bed is a simple narrow and straight ditch or artificially created canal;
- all of the land to the immediate west of the Liesbeek has already been filled and is being used for sporting activities;
- all of the River Club site if filled is in part a island or promontory projecting into the water-filled wetland to the north and east 'protected by drainage canals;
- the wetlands to the north and east have the marks of a drag-line excavator that has taken soil from the estuary to create the reclaimed land of the River Club site; and
- the only as yet (relatively) 'natural area is the SAR&H land to the north which is be gradually reclaimed and encroached on by the railways sheds.

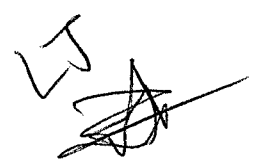
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<sup>30</sup> As listed, for example, in s.3(3) of the NHRA.

<sup>31</sup> High, medium, low; or, for example, as described in the grading system articulated in s.7(1) of the NHRA.

<sup>32</sup> UNESCO, World Heritage Centre, 2013, *Operational Guidelines for the Implementation of the World Heritage Convention*, paras.79-86, in particular para.82.

<sup>33</sup> *Ibid.* paras.87-95, in particular para.88.







**Illustration 6: 1934 Aerial photograph (Department of Land and Measures, 100-004-09517); the roughly circled River Club site is added to orientate the reader**

Given this, we argue that the pre-1952 river-course, which is claimed by some commentators (apparently concurred with by HWC) to be the “authentic” river course, is not authentic and has little integrity as such.

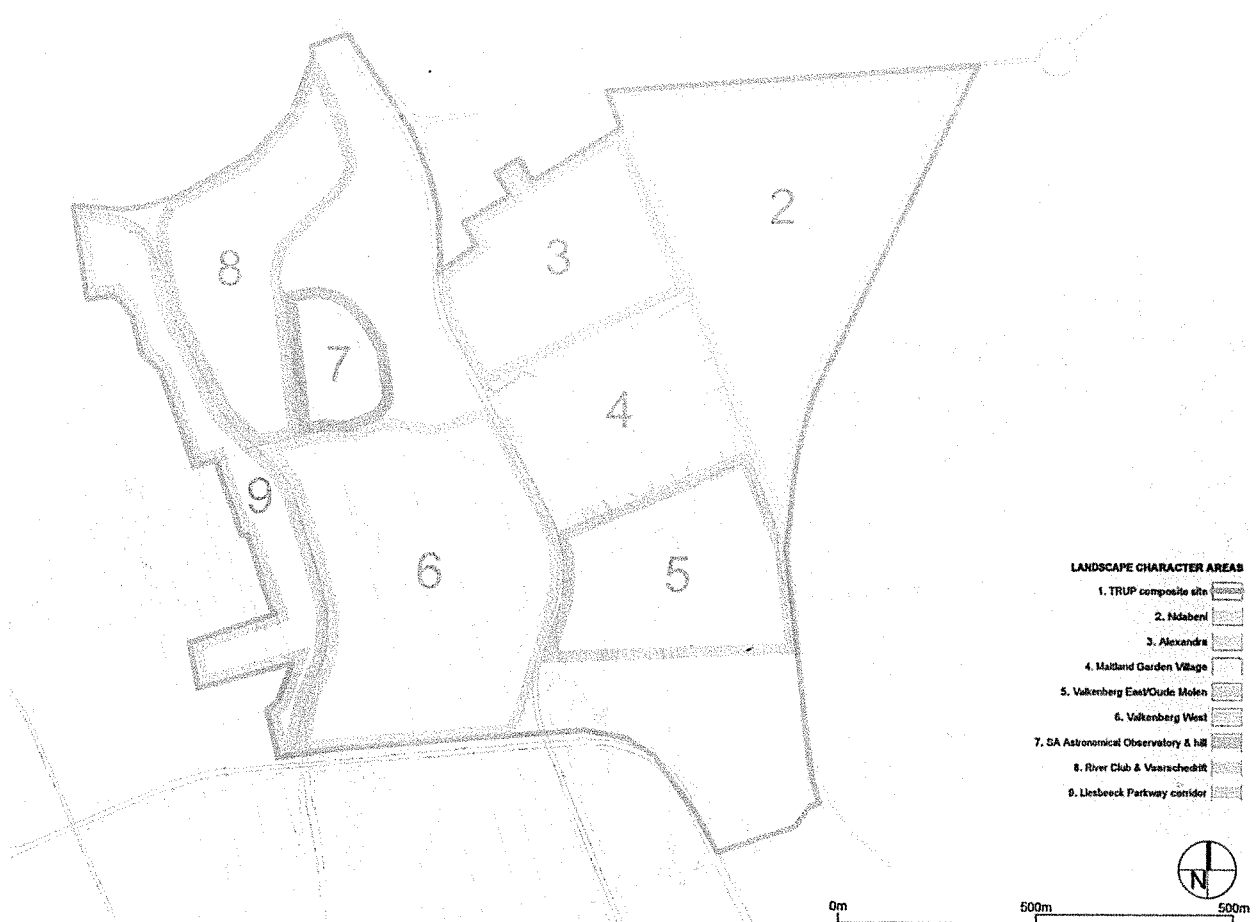
We also point out that the lower reaches of rivers, especially where flowing very slowly through very flat floodplains, are inclined to change their course periodically through sudden flooding, thus establishing a series of ‘authentic’ river-beds over time. In other words, it is apparent that an ‘authentic’ course of the Liesbeek is uncertain, even labile and liable to displacement or change; and, given this, we argue that the current canalised bed of the Liesbeek is a legitimate and feasible course for the recovered riverine corridor, the ecological-, visual-, cultural-, amenity-significance of which can be enhanced without damaging its historical or locational significance and authenticity.

We hesitate to complicate an already complex argument about significances but, given the range of opinions, this is unavoidable; and it is the range of opinions regarding what has been variously referred to as “landscape character” that we must touch on in order to illustrate the differences of perception (and opinion):

Attwell and Jacobs have argued that there are nine distinct ‘character-areas’ in the TR-area as shown in their map, Landscape Character Areas.<sup>34</sup>

<sup>34</sup> Attwell and Jacobs, 2016, pp63-73.





**Illustration 7: Attwell and Jacobs' Landscape Character Area diagram (Diagram 7A, 2016); area 8 is described as "River Club and Varschedrift"<sup>35</sup>**

However, their 'character-areas' do not identify the two rivers and their courses/corridors/floodplains as 'character areas' implying a view of the rivers as dividers between 'character areas' rather than as the generators of character (which is how we see them).

Postlethwayt takes view similar to that of Attwell and Jacobs.<sup>36</sup>

The authors of the LSDF, however, take a rather different view, recognising the two rivers as central 'character makers' of two of their eight separate precincts; and their diagram of "heritage related constraints and opportunities for redevelopment, re-purposing, restoring, re-imagining" emphasises the rivers as the primary 'heritage informants'. This is much closer to our own view and, we argue, this is how most people see the area (indeed, the area has been known as the "Two Rivers urban park" or area for decades):

<sup>35</sup> We think that this is an inaccurate naming because the River Club occupies just a part of this "character area" and because Varschedrift was on the western side of the old pre-1952 river course (now under the extension to the multi-storey development known as Black River Park in the character area named "Liesbeek Parkway corridor").

<sup>36</sup> Postlethwayt, pp16-17, Fig.11.





Illustration 8: ARG, Structuring of LSDF into eight precincts (ARG, Fig. 4.35, p88)

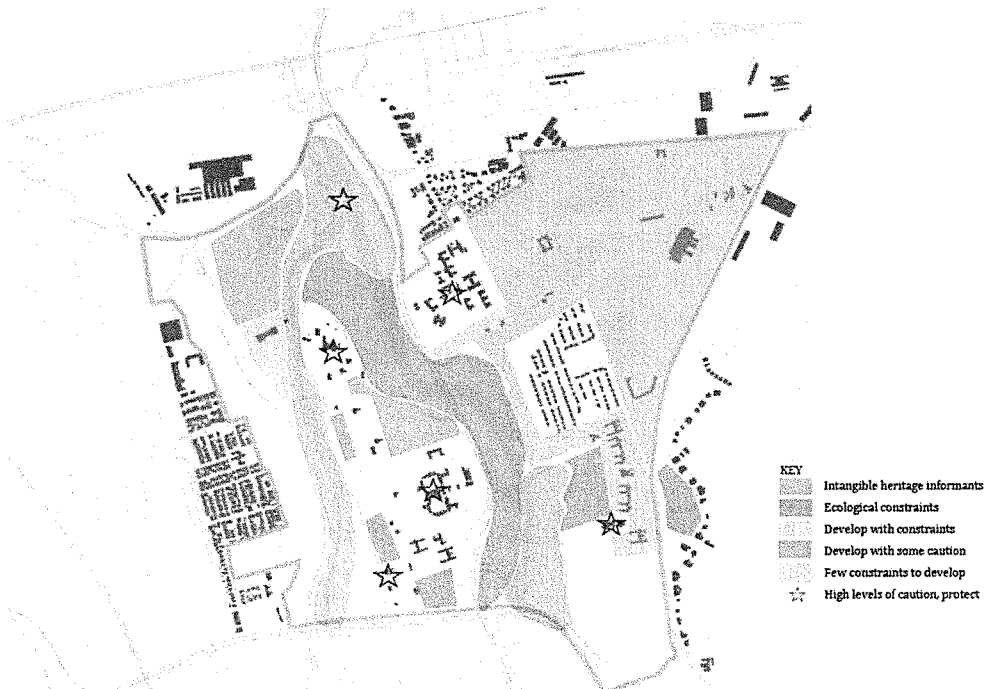


Illustration 9: ARG, Heritage related constraints and opportunities, etc (ARG, p25)

We point this out to emphasise the different experiences of the landscape and the consequences of these different experiences and the consequential *heteroglossia* of views, perceptions and assessments of the topography itself and its characters and of the significance(s) of the characters of the component parts. In other words, we return HWC to our assessment and evaluation of the significances of the River Club site and its immediate surrounds as articulated in section 10. **Assessment of Impacts on Significance** in the *HIA* (pp109-118) and to our summarising diagrams:



**Illustration 10: Diagram of current significances of the riverine topography as cultural landscape (HIA, Fig.31, p117)**



**Illustration 11: Diagram of future significances of the riverine topography as cultural landscape after the restoration of the Liesbeek River (HIA, Fig.32, p118)**

## **6 The Revised Development Proposal:**

As explained earlier, the development proposal has been refined in response to commentary made in the NEMA, NHRA and MPB-L processes including:<sup>37</sup>

<sup>37</sup> This section on the revisions to the development proposal is derived in large part from *The River Club, Observatory: Supplementary Information*, a report of November 2019 by Planning Partners, Paragon Architects and Vivid Architects, submitted on behalf of Zenprop to the City of Cape Town, relying, in particular, on pp5-6.

- comments and objections received from relevant government authorities and the public (not only in relation to the MPBL application, but also from the ongoing NHRA and NEMA application processes);
- further engagement with pre-eminent members of the First Nations groupings; and
- specific requirements of the developer following engagements with prospective tenants.

Noteworthy changes from the submitted development proposal are:

- a. The diagonal road dissecting the central 'ecological corridor' has been replaced by a road that crosses the green open space in a more orthogonal orientation, with the intention to mimic the orientation of the buildings, as well as reduce the impact on the amenity and functioning of the 'ecological corridor' space.
- b. The setback of the buildings from the rehabilitated Liesbeek River is now a minimum of 40 metres (this setback previously ranged between 24 – 40 m).
- c. The buildings closest to the SA Astronomical Observatory have been lowered in height to reduce the impact on this precinct.
- d. Vehicular access in Precinct 1 is no longer on the 'outside' of the precinct adjacent to the rehabilitated Liesbeek Canal and vegetated swale, but is now via a central road servicing the precinct; and the buildings overlook landscaped areas providing a better interface with these areas.
- e. The western half of Precinct 2 has been earmarked for the offices of a global company that has very specific requirements for their buildings (for example, standard floor plates which result in very specific building footprints). This campus is located next to Berkley Road extension where greater heights are appropriate, although the heights are staggered to articulate the massing.
- f. The inclusion of First Nations heritage as a design informant which now includes the following:
  - establishing an indigenous garden for medicinal plants used by the First Nations;
  - establishing a cultural centre;
  - establishing a heritage-eco trail;
  - establishing an amphitheatre for use by both the First Nations and the general public;
  - commemorating the history of the First Nations by: establishing a Gateway Feature inspired by symbols central to the First Nations narrative at the road crossing the eco-corridor; incorporating symbols central to the First Nations narrative in detailed design of buildings; and naming internal roads inspired by people or symbols central to the First Nations narrative;
  - the implementation of these mechanisms is to be assured through an institutional arrangement which establishes within the Property Owners Association (or similar) an autonomous legal entity led by the Gorinhaiqua



Cultural Council that will be responsible for the governance, planning, management, operations, maintenance and sustainability of the indigenous place-making mechanisms.



Illustration 12: Refined Development Framework (Planning Partners, Fig. 3, p7); circled area shows the position of the proposed cultural centre, amphitheatre and gateway

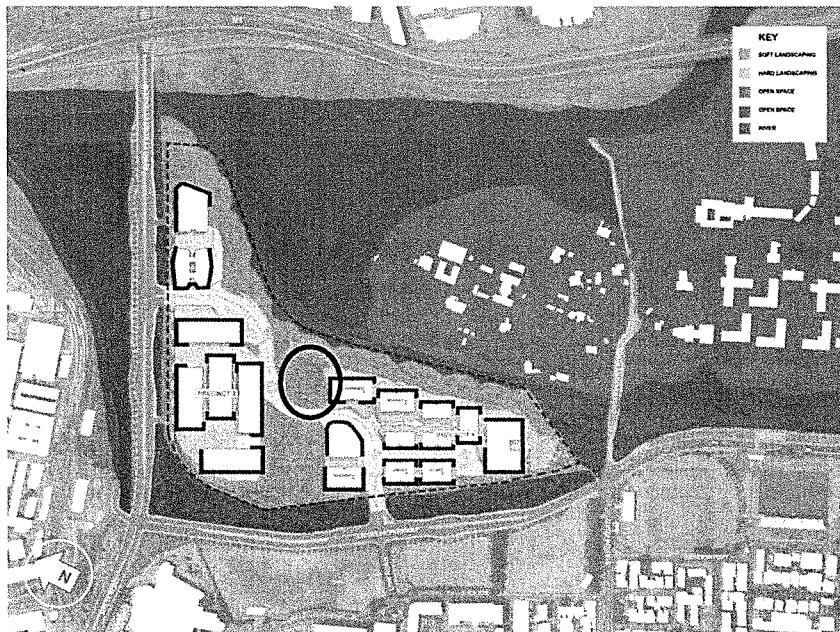
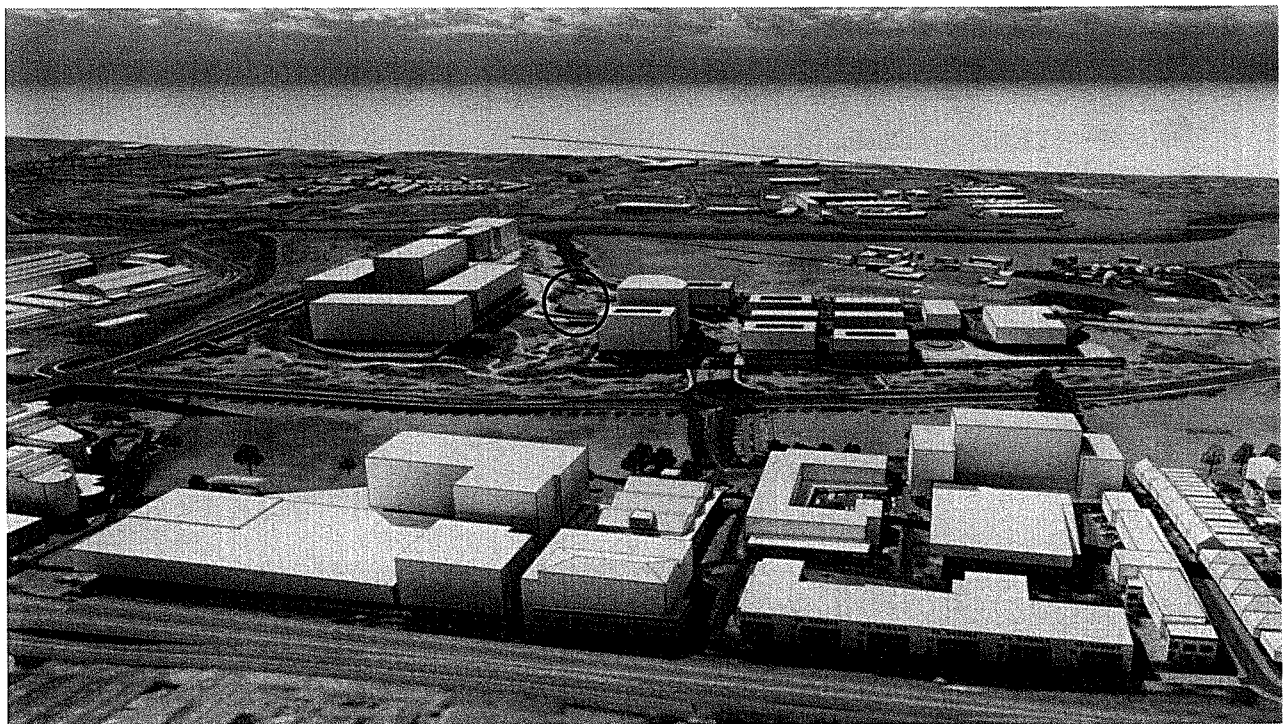


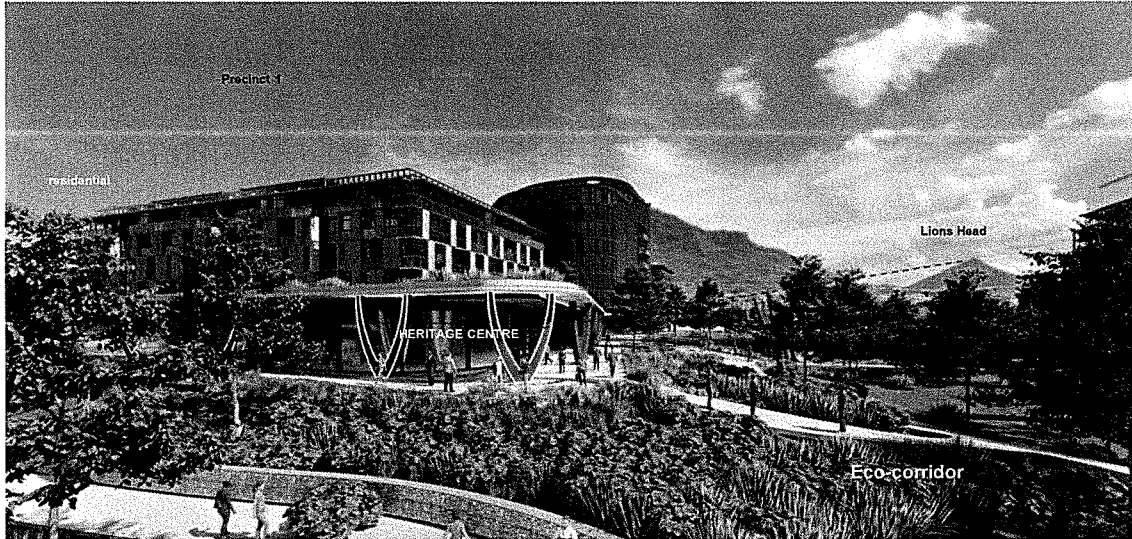
Illustration 13: Open Space vs Building Footprint (Planning Partners, Fig. 4c, p10) circled area shows the position of the proposed cultural centre, amphitheatre and gateway



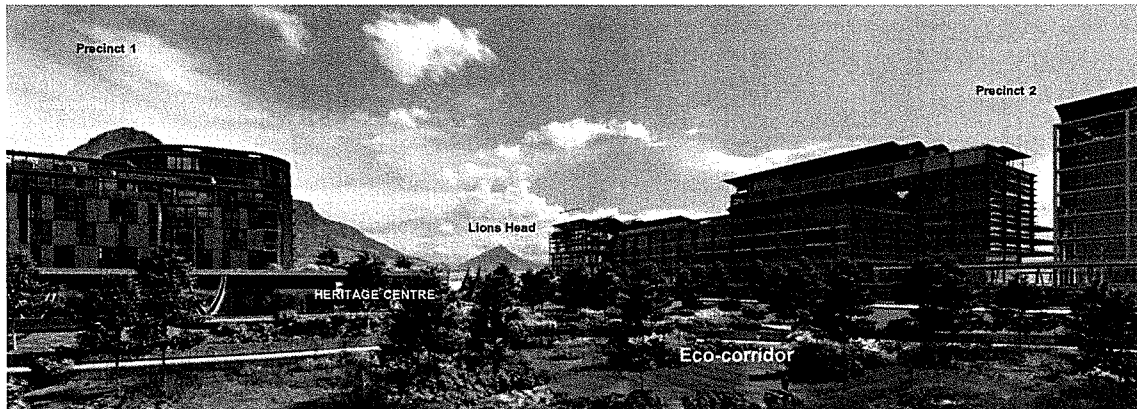
**Illustration 14: View looking west (Planning Partners, Fig. 5a, p15); circled area shows the position of the proposed cultural centre, amphitheatre and gateway**



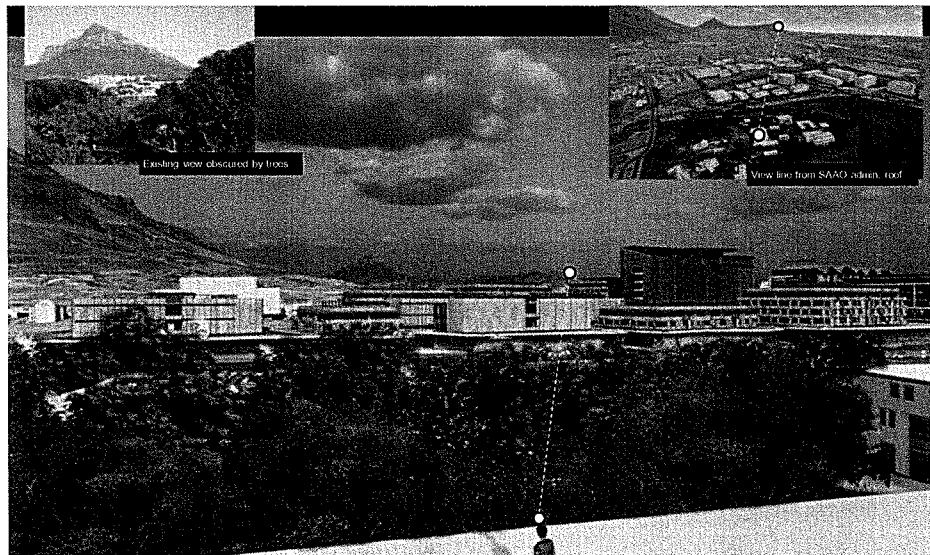
**Illustration 15: View looking east (Planning Partners, Fig. 5d, p18); circled area shows the position of the proposed cultural centre, amphitheatre and gateway**



**Illustration 16: View looking west down the eco-corridor past the cultural centre to Lions Head (Vivid Architects, Power Point Presentation, 26 Nov 2019, Slide 14)**



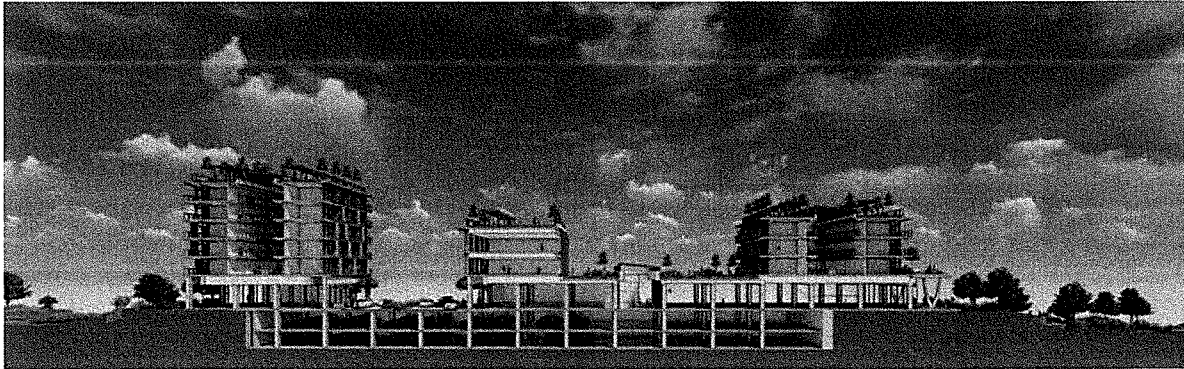
**Illustration 17: View looking west down the eco-corridor past the cultural centre to Lions Head (Vivid Architects, Power Point Presentation, 26 Nov 2019, Slide 20)**



**Illustration 18: View looking west from the roof level of the Royal Observatory building to Lions Head (Vivid Architects, Power Point Presentation, 26 Nov 2019, Slide 37)**

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**Illustration 19: East-west section through Precinct 1 looking north with the Liesbeeck Parkway to the left and the Lisbeek River to the right (Planning Partners, Fig.7b,p21)**



**Illustration 20: Section through rehabilitated Liesbeeck canal looking west from the SAAO (Vivid Architects, Fig.7d, p23)**

A number of refinements and amendments have been made to the development proposal (listed on p21 above). All of these are, we argue improvements to what was discussed in the *HIA* dated 2 July 2019. Many of these changes are refinements and will, we presume, not satisfy all commentators; however, we suggest that several of the changes are significant from a 'heritage point of view'. These latter changes include, most importantly:

- reducing the height of the buildings in Precinct 1 opposite the SAAO in order that their presence, already minimised by the distance is further reduced and so that Lions Head and Signal Hill can be seen from the roof of the old Royal Observatory building;
- improving the vehicular-bridge-crossing of the eco-corridor; and
- introducing the several strategies discussed for "indigenizing the site through place-making mechanisms" as outlined on pages 8 and 21 above.

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Given our presumption that many commentators will still object to the scale or height of certain of the buildings, particularly those in Precinct 2, we point out that most commentators do not object to development of the site implying a recognition, even acceptance, that the site could, even should, be developed, but just not with buildings of the heights proposed. In our view, any development that covers the site, even of single-storeyed development, will transform the floodplain's current (already much debased and uncertain) sense of place. On the other hand, the creation of an eco-corridor across the site and, in particular, the recovery (or rearticulation) of the Liesbeek riverine corridor will have a marked positive impact on this sense of place and on the perception of the Liesbeek River as a whole.

## **7 Alternatives and Mitigation of Impacts:**

HWC claims that "there is no meaningful consideration of alternatives whatsoever"<sup>38</sup> and the "reduction of the Heritage Significance... is not something that can be mitigated, as it wholly ignores the broader issues pertaining to a highly significant cultural landscape".<sup>39</sup>

The cost of the installation of services to this unserviced site (which will benefit a greater area than just the site in question) will be high as will the ecological restoration of the riverine corridor, of the old pre-1952 river course and of the connecting ecological corridor between the two courses; and certain portions of the site must be filled to above the 1:100 flood-line which will also entail significant cost. Also, the provision of inclusionary housing and of the implementation of the mechanisms for the realisation of the First Nations indigenous narrative, while recognised (even embraced) by the developer as appropriate, will have considerable costs.

The proponent, an experienced developer of international standing, has presented two financially feasible and distinctly different alternatives: the Riverine Corridor Alternative and the Island Concept Alternative (as well as the No-Go Alternative).

Although, in terms of NEMA and the NEMA EIA Regulations (2014), alternatives identified by stakeholders should be considered in the EIA process, the proponent is permitted to provide a reasoned explanation why alternatives are not found (through an investigation) to be reasonable and/or feasible. In this regard, the (financial) returns of the preferred Riverine Corridor alternative, the Island Concept alternative, and the two alternatives suggested by stakeholders ((a) a lower density / reduced floor-space alternative and (b) an alternative which incorporated ~20% of the GLA for affordable housing) were investigated by MLC Quantity Surveyors to determine the expected first year returns on investment.

Noting that market capitalisation rates below 9% are not considered commercially viable to the proponent or to other property developers, the investigation demonstrates that neither the lower density/reduced floor-space alternative nor an alternative which incorporates ~20% of the GLA for affordable housing are financially viable to the proponent. In other words, given the cost of developing the site, the proponent does not view these alternatives to be (financially) reasonable or feasible

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<sup>38</sup> Ibid. p9.

<sup>39</sup> Ibid. p10.



and have excluded these from further analysis.

The proponent has further calculated that the floor area currently proposed is the minimum required to ensure financial feasibility, and as such, impacts associated with the change in character of the site cannot be avoided completely through layout or functional alternatives, or other mitigation. In other words, negative impacts on the character of the site, the historical setting of the SAAO, and sense of place are anticipated should the development proceed. Should the No Go Alternative be selected, these impacts would be forgone, as would a number of significant economic, ecological and cultural benefits.

It should also be noted that the same or very similar negative impacts would be experienced should an alternative with reduced floor space or one with 20% of the GLA devoted to affordable housing be selected. Furthermore, it is now apparent that the proposed alternative is consistent with the latest spatial framework plan for the environs, the *Draft Two Rivers Local Spatial Development Framework*.

In terms of NEMA, the best practicable environmental option is the option that provides the most benefit and causes the least damage to the environment as a whole, at a cost acceptable to society, in the long-term as well as in the short-term.

The proponent has calculated that a minimum floor area is required to make the development financially viable and has selected two viable layouts designed to mitigate the anticipated visual and cultural impacts as far as possible (and to enhance both ecological and heritage benefits). Layouts were selected in consultation with the specialists on the project team including the urban designer, the visual impact assessor and the architect. Nevertheless, the development will alter the sense of place (see Impact V2 in Appendix J of the BAR), reduce certain of the heritage values of the site (Impact H3), impact on the setting of the SAAO (Impact H5) and, importantly, increase significantly other heritage values. The project will also entail significant socio-economic (Section 2.7 of Appendix J) and ecological benefits (Sections 2.4 and 2.5). Therefore, the preferred alternative involves trade-offs.

Negative impacts can be mitigated to acceptable levels if the Riverine Concept Alternative is selected, and a significant heritage benefit is anticipated from restoring the Liesbeek River Corridor at the site (Impact H4). This alternative has therefore been selected as the preferred development alternative by the proponent. The site is privately owned and has been the subject of unsuccessful revitalisation initiatives for over a quarter of a century, and it is therefore reasonable to assume that should the development not be approved the site will continue to be inaccessible to the public and used as a commercial recreational and conferencing facility. The benefits (and impacts) of the development would be forgone at a site that is considered by the City and the Provincial Government of the Western Cape (and, of course, proponent) as a site that is suitable for development.

Given that the two realistic and viable outcomes for the future of the site are either (a) the preferred Riverine Corridor alternative which re-envision the site or (b) the No-Go Alternative, it is our view that the preferred development alternative provides

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more benefit at a tolerable cost to society and is therefore considered an acceptable option for the site, *ceteris paribus*.<sup>40</sup>

Given this, it would seem that HWC's opinions regarding both the consideration of alternatives and the mitigations incorporated into the preferred alternative are not sustained by rational argument. We note too that in the sixteen years that HWC has been operating, it has seldom required that alternatives be assessed and has not, in our experience, ever argued that an HIA was inadequate for the want of an "adequate" assessment of alternatives.

## **8 The Rationality of the Interim Comment:**

HWC has relied on what seems to be a central and simple linear argument in the *Interim Comment*, underpinning its reasoning and its conclusions, namely: "if the grading of significance is wrong, then the conclusions will certainly be wrong".<sup>41</sup>

This kind of argument is fallacious for the following reasons: first, the subject site and the environs more generally are complex in every sense with overlapping kinds of significances of varying degrees of value; second, some of these significances do not have visual or physical manifestation or any impact on the perception or experience of the site or environs as heritage; and, third, the significances of the site and environs have been much affected and transformed by their use and development during the past hundred years or more, radically affecting their authenticity and integrity and, therefore, their potential as recognisable/identifiable heritage resources.

Simple linear equations of the sort argued by HWC can be broken into pieces, analysed separately and solved, and eventually reassembled giving a straight-forward directly resulting conclusion; in a linear equation of the sort argued by HWC, the whole is exactly equal to the sum of the parts.

However, the real world of the complexities in play here cannot be understood through linear equations of this sort but rather as a nonlinear open-system of iterative internal feedback and multiple alternate understandings and conclusions.<sup>42</sup> This is the case in all analysis of this sort; and, especially when change which will affect primary components of the system further complicates or transforms characteristics of the system being analysed, predictive analysis must turn to creative and even inventive thinking.

In other words, a simplistic linear argument is inadequate; and we hope that the analysis and argument implied in the HIA and made clearer here is now more persuasive.

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<sup>40</sup> The details of this response rely on the expert advice of the EAP, Matthew Law of SKR, and the impacts referred to are those articulated in the BAR; email, 7/11/2019.

<sup>41</sup> HWC, *Interim Comment*, p7 (twice), p10.

<sup>42</sup> This discussion of linear and nonlinear analysis relies on the writings of mathematicians and analysts like Melanie Mitchell, 2009, *Complexity: A Guided Tour*, and Steven Strogatz, 2003, *Sync*, as discussed by Sennett, Richard, 2018, *Building and Dwelling: Ethics for the City*, pp4-11.

Also, HWC relies on an iteratively stated argument that the proposal is reliant on a “preconceived development concept”<sup>43</sup> which, variously, was “prepared by Urban Concepts in 2016” and “pre-dates this HIA” and that the argument and conclusions of the HIA are, therefore, a “post-rationalisation” of this preconceived development proposal.

This argument is fallacious for the following reasons:

- first, an impact study is, in essence, simply to assess the impact of a proposed development: a development proposal must rationally precede a study of its impacts;
- second, given that the process of compiling an HIA must be commenced “at the very earliest stages of initiating such a development”,<sup>44</sup> it is clear that the Act intends that the compilation of an HIA is to have an ‘internal’ effect on the design of the proposed development;
- third, HWC did in January 2016 specifically require an “urban design framework of the proposed development”,<sup>45</sup> and an *Urban Design Indicators Draft 2*<sup>46</sup> did inform the initial design of the proposal and was included in the Phase I HIA submitted to HWC in February 2017 ;
- fourth, the concept of the proposed or preferred development was changed radically in late 2017 from the Island Concept to the Riverine Corridor Concept and the urban design framework report was expanded to incorporate the insights of the HIA-compiling process;<sup>47</sup>
- fifth, the preferred Riverine Corridor alternative has been iteratively amended in several steps since late-2017.

In other words, HWC’s contentions regarding a “preconceived” or “post-rationalised” development proposal is both irrelevant and wrong.

## 9 Conclusions:

Given the above, we hope that HWC’s criticisms have now been addressed and that the *HIA* with this *Supplement* will be accepted by HWC to satisfy its requirements as specified under section 38, subsections (3) and (8) and that differences in opinion regarding the assessment of heritage resources on or near the site do not render the *HIA* and this *Supplement* “inadequate” or “incomplete”. In other words, we trust:

- (a) That all heritage resources in the affected area are adequately identified, described and mapped in the Executive Summary, Preface and section 6. Identification of Heritage Resources of the *HIA* (respectively pp3-5, 19-21 and pp70-79), and section 4. Identification and Mapping of Heritage Resources of this *Supplement* (pp12-15);
- (b) That the significances of these heritage resources have been adequately described and assessed in the Executive Summary and sections 7. Significances of the *HIA* (respectively pp3-5 and pp79-89) and 5. Assessment of Significances of this *Supplement* (pp15-20)

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<sup>43</sup> HWC, Interim Comment, p5 (twice), p6.

<sup>44</sup> NHRA, s.38(1).

<sup>45</sup> HWC, *Response to NID*, 7 Jan 2016.

<sup>46</sup> Urban Concepts, 2016, *Urban Design Indicators Draft 2*.

<sup>47</sup> Urban Concepts, December 2017, *Urban Design Framework: Indicators and Recommendations*.

- (c) That the impacts of the proposed development on these heritage resources and their significances have been adequately described and evaluated in the Executive Summary and sections 9.3. The Alternative Development Proposals and 10. Assessment of Impacts on Significance of the *HIA* (respectively pp3-4, pp96-109 and pp109-118) and section 5. Assessment of Significances of this *Supplement* (pp15-20);
- (d) That the impact of the proposed development on these heritage resources relative to the sustainable benefits has been adequately evaluated in section 10. Assessment of Impacts on Significance of the *HIA* (pp109-118) and section 7. Alternatives and Mitigation of Impacts of this *Supplement* (pp26-27);
- (e) That the results of consultation with parties claiming to be affected by the proposed development have been adequately reported in sections 5. Consultation and Commentary of Interested Parties and 9.4. Commentary of IAPs on the Development Proposal of the *HIA* (respectively pp52-70 and pp106-109) and sections 2. Engagements with First Nations Groupings and 6. The Revised Development Proposal of this Supplement (respectively pp4-9 and pp20-25);
- (f) Given that certain heritage resource will be adversely affected, that alternatives and have been adequately considered in sections 9.3. The Alternative Development Proposals and 10. Assessment of Impacts on Significance of the *HIA* (respectively pp96-106 and pp109-117) and section 8. Alternatives and Mitigation of this *Supplement* (pp26-27); and
- (g) That mitigation of the adverse effects have been incorporated and adequately evaluated in sections 9.3. The Alternative Development Proposals, 10. Assessment of Impacts on Significance, and 11. Mitigations of the *HIA* (respectively pp96-106, pp109-117 and 118-119) and section 8. Alternatives and Mitigation of this *Supplement* (pp26-27).

Finally, as explained earlier, the first part of the underpinning argument of the *HIA* is that the historical significance of the site is high but the ecological, topographical, visual significances are low as a consequence of the loss of authenticity and of a reduced integrity. The second part of the argument has it that the recovered integrity of the Liesbeek River course as an ecologically functioning riverine-corridor is also a recovery of several attributes of authenticity and, therefore, a recovery/restoration of several attributes of significance.

The third and necessary part of the argument is reliant on our presumption that the recovery of the potentially great significance of the Liesbeek riverine-corridor along the eastern edge of the River Club site is not possible without considerable investment which can only be realised through development of the River Club site. This, of course, applies to other public benefits like the planned improvements to the pre-1952 river course (itself of low significance then), the establishment of a 70m-wide ecological corridor running east-west across the site, and the implementation of the long-planned Berkley Road extension/connection; but we do not set as great store (from a 'heritage' perspective) by these latter improvements.

In our view, the restoration of the Liesbeek River as river, as life-bearing water running in an ecologically complete corridor, is to restore the Liesbeek River itself to completeness and to meaningfully add to the significance of the floodplain and the

location and setting (even if there are interruptions to the visual completeness of the floodplain).

4 December 2019

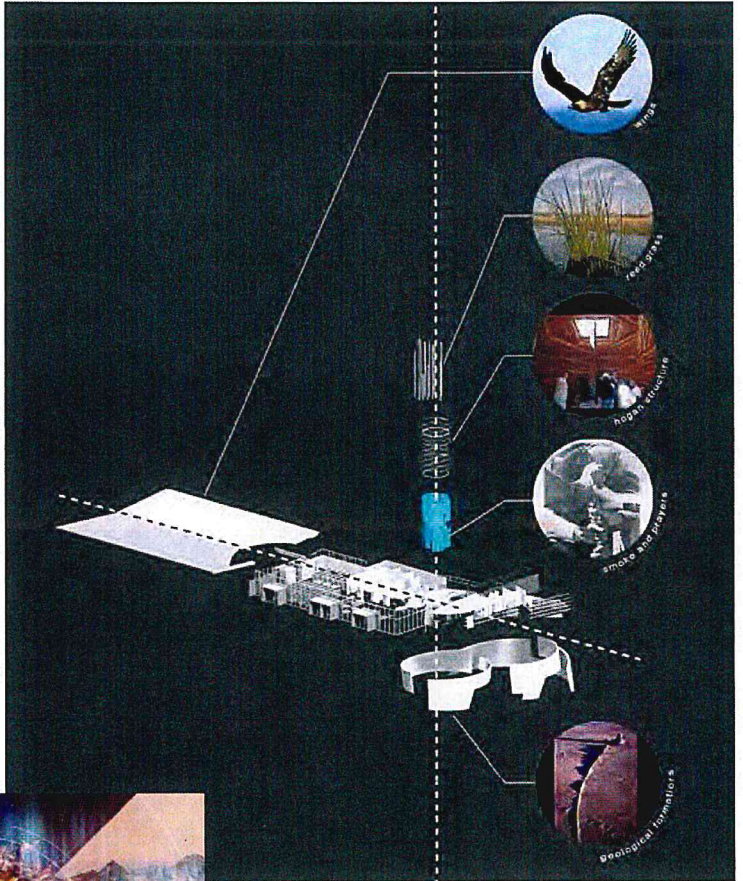
**Stephen Townsend**  
**Tim Hart**

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RIVER CLUB First Nation Report



AFMAS Solutions  
November 2019

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RIVER CLUB

FIRST NATION REPORT

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### Acknowledgement

The author hereby wish to acknowledge the contributions of the Kai Bi'a, Queen, Paramount Chiefs, Chiefs and Representatives of the following First Nations:

- Gorinhaiqua
- Gorachouqua
- Cochoqua
- Griqua Royal Council
- San House of N||nþe

Without them this report would not have been possible.

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## FOREWORD

*"Indigenous means of the land. As Indigenous people, we have a symbiotic relationship with the land and with each other. Rather than separated from nature, or above nature, we are nature. The spirit of the land flows through all life, including ourselves, and we are governed by natural law.*

*I am Anishinaabe, and what I learned through my elders was how to regard each individual with respect and care. We extend that to all the herbs, medicines, plants, water, fish, birds and animals, all of which we consider as our relations. With this world view, we have a distinct approach to architecture and planning.*

*The architecture of the dominant culture reflects the hierarchical world view of power and control over human nature and nature itself. Since it is hierarchical, planning comes from the top-down, where the will of the dominant culture is an imposition on human nature and our natural environment.*

*The Indigenous planning process is from the bottom-up, where people and their needs are our primary focus. It is the user of the space and the vision of the people who will be served that, from which the architectural form is established. Each cell or space is interconnected to each other, and the study of these connections creates a matrix in which an organism begins to evolve. Placing that organism on the site, it is developed with respect not only to the internal forces of the program that are shaping it, but to the external forces as well, such as the topography, landscaping, sun angles and wind patterns.*

*When the form naturally takes shape around the needs of all people and the environment, then when it is placed in its natural environment it extends that respect to all the life that surrounds it. If we draw on nature as our source of inspiration and entwine natural forms with our own human forms, then we arrive at works of art that elevate the spirit of all who enter the spaces we create.*

*We must achieve balance and harmony with each other as well as all life around us. We need beauty and harmony around us. As human beings, we all aspire to create or build environment with that in mind."<sup>1</sup>*

Douglas Cardinal



Douglas Cardinal is a world-renowned Canadian Indigenous architect who's been at the forefront of Indigenous architecture and design. Some of his projects include: The Smithsonian National Museum of the American Indian, Canadian Museum of History, Discovery Park of America and the First Nations University in Saskatchewan. In recognition of his work, he has received many national and international awards including 20 Honorary Doctorates, Gold Medals of Architecture in Canada and Russia, and an award from the United Nations Educational Scientific and Cultural Organization (UNESCO) for best sustainable village. He is also titled an Officer of the Order of Canada, one of the most prestigious awards given to a Canadian, and he was awarded the declaration of being 'World Master of Contemporary Architecture' by the International Association of Architects.

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<sup>1</sup> 2018: *The Handbook of Contemporary Indigenous Architecture*

RIVER CLUB

FIRST NATION REPORT

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### Statement of Independence

The River Club First Nation Report submitted here was conducted by Mr. Rudewaan Arendse of AFMAS Solutions.

The views expressed in the report are the objective, independent views, assessments and findings of Mr. Arendse. He does not have any business, personal, financial or other interest in the project apart from remuneration for the work submitted. Mr Arendse have not been influenced by the views and opinions of other parties.

Signed R Arendse

A handwritten signature in black ink, appearing to be 'R. Arendse', located in the bottom right corner of the page.

## INTRODUCTION

### A. Project Preamble

AFMAS Solutions was appointed by the Liesbeek Leisure Properties Trust to engage the First Nations (the Khoi and San)<sup>2</sup>, interchangeably referred to as Indigenous people, with regard to their intangible cultural heritage in terms of the River Club project site.

The report emanating from this engagement (this document) constitutes a Supplementary Report to the River Club Heritage Impact Assessment.

### B. Project Brief

The brief was to:

1. Understand the significance of the River Club site to the First Nations by identifying Indigenous intangible cultural heritage specific to the River Club.
2. Locate the River Club site within the Indigenous narrative of the broader TRUP cultural landscape.
3. Identify First Nation aspirations with regard to Indigenous cultural heritage and the River Club site.
4. Implement the recommendation of the TRUP First Nation report that "*acknowledging, embracing, protecting and celebrating the Indigenous narrative be a heritage related design informant that informs*" precinct and site planning and development of the River Club.

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<sup>2</sup> As was the case with the TRUP First Nation Report, given the ongoing debate about appropriate terminology to use when referring to the Indigenous people of South Africa, representatives of the First Nations were consulted. It was agreed that South African official parlance will be used, and the First Nations will be considered, and referred to, as the Khoi and San.



### **C. Assumptions, Limitations and Exclusions**

Indigenous informants of this report, self-identified as First Nation peoples.

Indigenous informants were:

1. First Nation representatives who were historically involved in TRUP-related processes;
2. First Nation representatives who contributed to the TRUP First Nation Report;
3. So as not to be exclusionary, inputs from other First Nation groupings and representatives with an interest in the Two Rivers and River Club, were also included.

### **D. Terminology**

As a mark respect, terms such as 'Indigenous', 'First Nation', and 'Indigene' are capitalized.

### **E. Definition of First Nation**

The report adopts the following United Nations working definition of 'Indigenous communities, peoples and nations':

*"Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.*

*This historical continuity may consist of the continuation, for an extended period reaching into the present of one or more of the following factors:*

- a) Occupation of ancestral lands, or at least of part of them;*
- b) Common ancestry with the original occupants of the lands;*
- c) Culture in general, or in specific manifestations (such as religion, under a*



*tribal system, membership of an Indigenous community, dress, means of livelihood, life-style, etc.);*

*d) Language (whether used as the only language, as mother-tongue, as the habitual means of communication at home or in the family, or as the main, preferred, habitual, general or normal language);*

*e) Residence on certain parts of the country, or in certain regions of the world;*

*f) Other relevant factors."*

*"On an individual basis, an Indigenous person is one who belongs to these Indigenous populations through self-identification as Indigenous (group consciousness) and is recognized and accepted by these populations as one of its members (acceptance by the group). This preserves for the communities the sovereign right and power to decide who belongs to them, without external interference (United Nations Permanent Forum on Indigenous issues 2004:2)*

According to the South African Traditional and Khoi-San Leadership Bill "*Khoi-San*" means any person who lives in accordance with the customs and customary law of the Cape-Khoi, Griqua, Koranna, Nama or San people, or any subgrouping thereof, and is consequentially a member of a particular Khoi-San community as contemplated in section 5."

## **F. Methodology**

A phased methodology was used.

*Phase One:* In order to understand First Nation intangible heritage significance and Indigenous "sense of place and meaning" of the River Club site, key informant interviews were held with First Nation knowledge keepers and traditional custodians of the Goringhaiqua, Gorachouqua, Cochoqua, Griqua Royal Council and the San House of N|ǀnǀe.

*Phase Two:* The Indigenous narrative of the River Club, generated in phase one, was located in the broader TRUP cultural landscape through multi-layered and multi-dimensional contextualizing - spatial, temporal, cognitive (memory and cognitive map of historical Indigenous landscape), epistemological (based on Indigenous knowledge structure), ontological (Indigenous ways of being) and cosmology (world view). This was achieved by deconstructing the TRUP cultural landscape.

*Phase Three:* To give expression to, and effectuate, First Nation aspirations vis-à-vis the River Club site, precedent studies and state-of-the-art analysis were used to develop Indigenous-inspired



site planning, design and development informants that acknowledge, embrace, protect and celebrate the Indigenous narrative.

### **G. First Nation Informants**

First Nation interviewees and key informants were the Kai Bi'a, the Queen, Paramount Chief, Chiefs and representatives of the Gorinhaiqua, Gorachouqua, Cochoqua, Griqua Royal Council and the San House of N||nǃe. These informants, as Indigenous knowledge keepers and traditional custodians, constituted a First Nations Collective, whose voice is denoted by italicized verbatim text in quotation marks in the report.

### **H. First Nations Collective**

The First Nations Collective comprise the majority of senior Indigenous Khoi and San leaders and their councils in the Peninsula. This includes the:

1. Gorinhaiqua (Chief !Garu Zenzile Khoisan, Mr. Ron Martin)
2. Gorachouqua (Kai Bi'a !Kora Hennie van Wyk, Bi'a Jeannette Abrahams)
3. Cochoqua (Chief John Jansen, Chief Tania Kleinhans-Cedras)
4. Griqua Royal Council (High Commissioner and Deputy Secretary General of the Congress of Traditional Leaders of South Africa [Contralesa], His Excellency, Aaron Martin William Messelaar.
5. San Traditional Royal House of N||nǃe (Queen Katriena Esau, Prince Titus<sup>3</sup>)
6. National Khoi and San Council (Chief Cecil le Fleur)

The First Nations Collective through Chief Zenzile Khoisan explained to Mr Tauriq Jenkins, Supreme High Commissioner of the Goringhaicona Khoi Khoin Indigenous Traditional Council and spokesperson for Paramount Chief Delriqwe Dextery Aran (Impose Arendse), the position taken by the Collective, and invited the Goringhaicona to participate and join the Collective. Cautioning the Goringhaicona that refusing to formally engage, would constitute a voluntary extrication from the consultation process. Akin to a self-imposed exile.

The social facilitator, subsequently, twice engaged (met) the Supreme High Commissioner of the Goringhaicona; urging formal engagement, consultation and dialogue. On both occasions the social facilitator was informed that the meetings did not constitute formal engagement. Consequently, the social facilitator informed the Supreme High Commissioner that the Goringhaicona would not be reflected in the First Nations Collective.

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<sup>3</sup> Prince Titus informed Advocate Erasmus who represented his interest at the Western Cape Heritage Tribunal, that he (Prince Titus) is no longer opposed to development at the River Club site, and that he (Prince Titus) had joined the First Nation Collective, in support of development.





Members of the First Nations Collective, Indigenous activists, and members of the Indigenous Resurgence alerted the social facilitator to public utterances and social media pronouncements by Paramount Chief Aran that called into question the credibility of the Paramount chief, as leader, as a keeper of Indigenous knowledge and tradition, and as voice of the Indigene. The voice articulated through his spokesperson, the Supreme High Commissioner, Mr. Tauriq Jenkins.

Some of Paramount Chief Aran's public pronouncements include:

- The real Nelson Mandela died on Robben Island, and the person released in 1990 was an imposter.
- That he (Paramount Chief Aran) contacted the Queen of England.
- Jan Van Riebeeck was a prisoner.
- Paramount Chief Aran's grandmother, Elisabeth Dawson, was British Royalty, and the sister of Queen Victoria.
- The Goringhaicona have *"traded the language Khoekhoegowab used on the coat of arms which gives money value."*
- Former President F W De Klerk lied under oath to the United Nations.
- Former President Nelson Mandela lied about using his mother's Khoi DNA and passing it off as Xhosa.

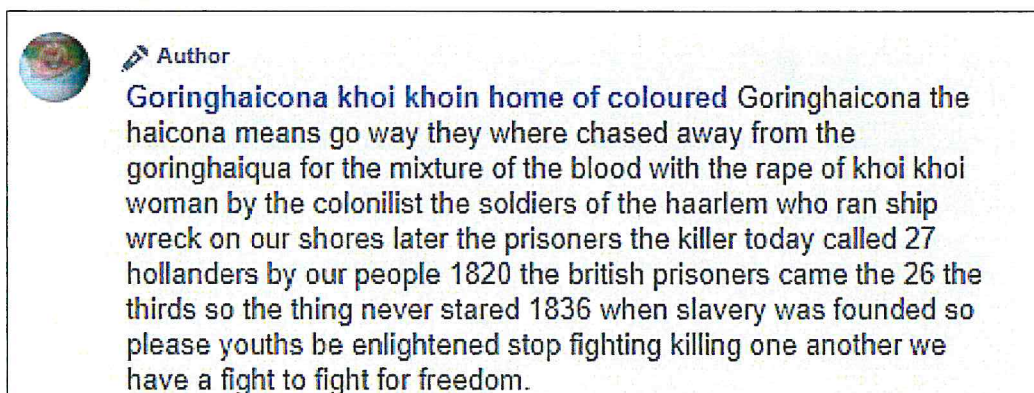


Figure 1 - Goringhaicona means "go [a]way"

A handwritten signature or set of initials in black ink, located in the bottom right corner of the page.



Figure 2 - Paramount Chief Aran contacted the Queen of England and his grandmother is related to the Queen of England



Figure 3 - Former President F W De Klerk lied to the United Nations

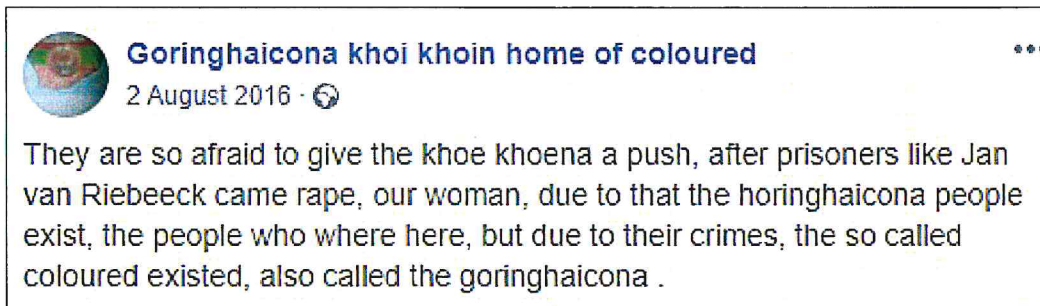


Figure 4 - Jan van Riebeeck was a prisoner

A handwritten signature or scribble in black ink, located in the bottom right corner of the page.



Figure 5 - Paramount Chief Aran's grandmother was the sister of Queen Victoria



Figure 6 - Fake Nelson Mandela

<https://www.facebook.com/Goringhaicona-khoi-khoin-home-of-coloured-818871421553844/>

The concern from the First Nations Collective was that the above pronouncements by Paramount Chief Aran of the Goringhaicona will undermine First Nation interests and cause ridicule of the entire Indigenous narrative.

### I. Structure

This report is divided into an introduction and 8 sections. The introduction provides a preamble to the study. Section 1 describes the First Nation narrative of the TRUP cultural landscape. Section 2 deconstructs the TRUP cultural landscape in order to understand the temporal and spatial relationships between different tangible and intangible heritage elements and the River Club site. Section 3 deals with the Indigenous narrative and First Nation agency. Section 4 articulates First Nation aspirations. Section 5 converts Indigenous aspirations into an Indigenous Imperative vis-à-vis the River Club site, Section 6 identifies global precedents where Indigenous Intangible cultural heritage informants informed building and site design and development. Section 7 deals with implementing the Indigenous Imperative. The report ends with Section 8, the conclusion and recommendations, which is followed by the bibliography and annexures.

### J. Study Area

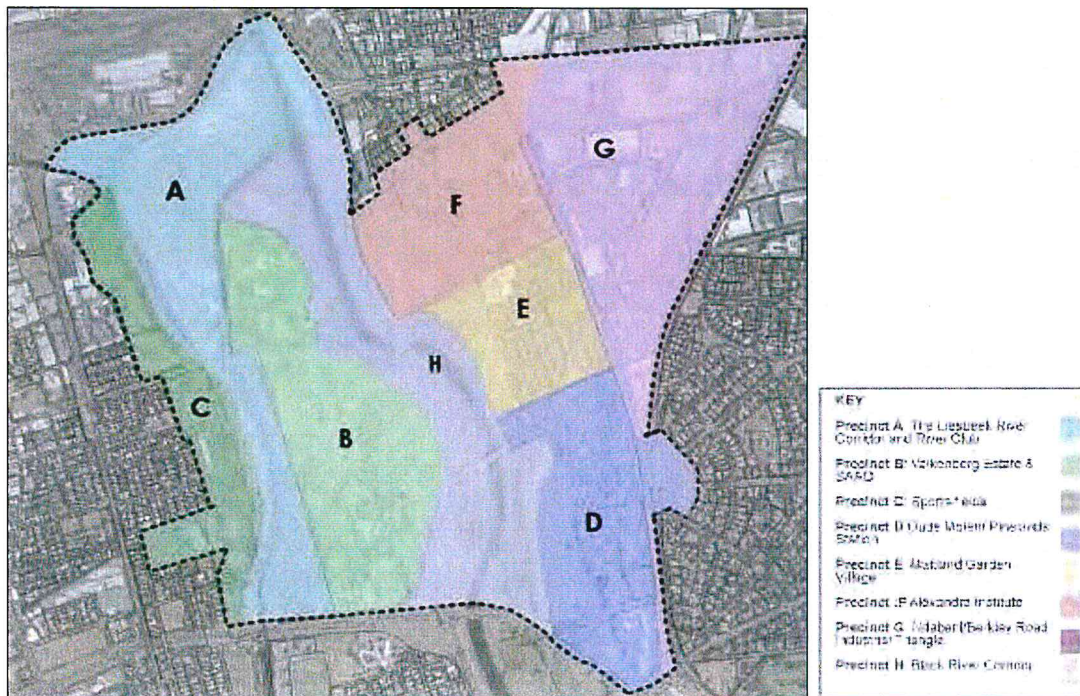


Figure 7 - Project Study Area

**K. Locality**



Figure 8 - River Club locality

## **SECTION 1: FIRST NATION NARRATIVE OF TRUP CULTURAL LANDSCAPE**

This section of the report describes the Indigenous narrative of the TRUP cultural landscape as articulated in the TRUP First Nations Report.

It serves as analytical framework for understanding the significance of both the TRUP landscape and the River Club site to the First Nations, and as contextual framework for locating the River Club site in the broader TRUP cultural landscape.

The Indigenous heritage significance of the River Club cannot be dislocated from the broader TRUP landscape, and any understanding of the River Club as Indigenous cultural landscape requires an understanding of the TRUP Indigenous landscape.

For this reason, this section is a detailed recount of the Indigenous voice and aspirations as articulated in the TRUP First Nation Report.

### **A. Background to TRUP First Nations Report**

The Western Cape Department of Transport and Public Works (DTPW) appointed a social facilitator to engage the First Nations (Khoi and San) with regard to their oral history and intangible cultural heritage vis-à-vis the Two Rivers Urban Park (TRUP).

The report constituted a Second Supplementary Report to the TRUP Phase 1 Heritage Baseline Study.

### **B. TRUP Project Brief**

The brief of the engagement was to:

1. *"Understand the significance of TRUP to the First Nations by identifying Indigenous intangible cultural heritage specific to TRUP, through Khoi and San oral history, as articulated by Indigenous custodians.*
2. *Identify collective First Nation aspirations with regard to celebrating First Nation intangible cultural heritage at TRUP.*
3. *Incorporate the Indigenous narrative - of First Nation intangible cultural heritage specific to TRUP - into the spatial governance of TRUP, by developing heritage related design informants (HRDIs), informed by the Indigenous narrative."*

### **C. First Nations Consulted**

For the TRUP First Nation report, knowledge keepers and traditional custodians from the following First Nation groups were consulted: Gorinhaiqua, Gorachouqua, Goringhaicona, Cochoqua, Chainoqua, Korana, Nama and Griqua.

**D. TRUP Study Area**

The TRUP project boundaries were not contiguous with the First Nations' understanding of the boundaries of the historic TRUP-area Indigenous landscape. According to the Indigenous narrative, the historic landscape was much larger, and the existing TRUP project area was a mere remnant of a more encompassing landscape.

The following graphic illustrates the First Nations' cognitive map of the historic TRUP-area cultural landscape.

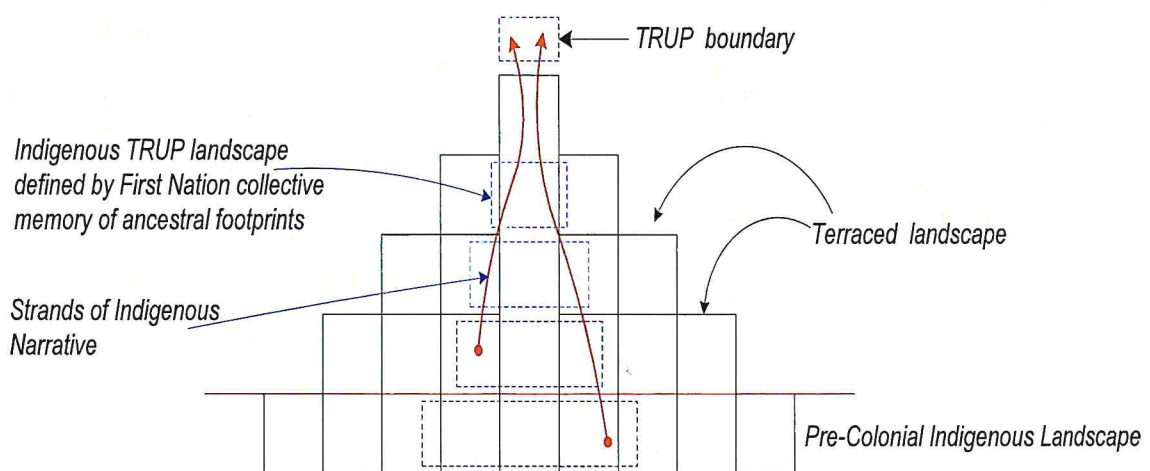


Figure 9 - TRUP Boundary and Pre-Colonial Indigenous Landscape

*"The Indigenous landscape - viewed as a terrace of time - rolling back, and expanding through history, with each successive step down to the next terraced landscape, leading to the Indigenous pre-colonial landscape." (AFMAS TRUP First Nation Report. 2019:3)*

**E. Precedents**

The TRUP First Nation report looked at precedents that dealt with embodying and spatializing of intangible cultural heritage of First Nations.

The following precedents were identified:

South African

- Newtown Cultural Precinct - *"Public art as place-making device for both memorial celebration and facilitating of Indigenous and public discourse."*
- Langa Cultural Precinct - *"The engage-imagine-design-develop approach to place-making where project champions, proponents and developers are non-state actors."*

Global

Urban Redevelopment of Christchurch (New Zealand) - *"The case highlights the significance of Indigenous knowledge in the design and development of public space, and the importance of place making i.e. reconnecting the Indigenous identity to the landscape, as a means of achieving spatial justice in urban contexts."*

'Reclaiming Indigenous Planning' - This collection of precedent case studies *"espouses Indigenous planning with its hallmark being the centrality of the Indigenous worldview."*

'Legacies of Space and Intangible Heritage' - This collection of precedent case studies *"are interdisciplinary explorations of the intersection between physical sites and landscapes, and the "reproduction of intangible cultural legacies" in different settings in the Americas."*

'Intangible Heritage Embodied' - This collection *"examines international cases of intangible cultural heritage, thematically, in terms of: voice and performance, landscape and space, and new technologies and media."*

Case 1 - 'Towards integrating Indigenous culture in urban form'

*"This case explores Indigenous-grounded urban design and development principles in urban contexts by looking at First Nations engagement in urban planning interventions in Canada and New Zealand. It shows how, in both the Canadian and New Zealand contexts, traditional values and motifs are integrated in contemporary structures, and how Indigenous buildings such as aboriginal friendship centres and longhouses (wharenui), located in urban landscapes, are not just amenity facilities. They serve as cultural hubs "whose identity, presence and purpose embody the essence of the Indigenous community," and they "perform the role of community focal points, and provide a medium for bringing people together and rooting a sense of place and identity within the landscape."*

Case 2 - 'Coexistence in Cities: The Challenge of Indigenous Urban Planning in the Twenty-First Century'

*"This case looks at the conceptual and practical challenges of coexistence of Indigenous planning with established "colonial-state" planning regimes in urban contexts in Melbourne, Australia. The case contends that Indigenous issues cannot merely be considered as that of just another stakeholder."*

Case 3 - 'Settlement Patterns, Intangible Memory, and the Institutional Entanglements of Heritage in Modern Yucatán'

*"This case highlights the contestation between the state, which has eminent domain over heritage landscapes, and the Indigenous peoples - Mayan descendant communities - of the rural Yucatan, whose traditional agricultural practices on the landscape validate their living heritage - through working and physically engaging the site. Where the landscape is "activated," and pre-Hispanic*





*artifacts and remnants both acquire and ascribe meaning, by Indigenous "usufruct"<sup>4</sup>. Here, the intangible heritage of landscape use is embodied in vernacular practice, and it's through these practices that the landscape becomes relevant to the contemporary Indigenous communities."*

*This case has the "potential to inform the imbuing and "activating" of the TRUP landscape through First Nation "usufruct" of the landscape."*

Case 4 - 'Hopi Ancestors Lived in These Canyons'

*"This case describes how different historic preservation projects enabled the Hopi First Nation to trace a physical connection to the Hopi Mesas<sup>5</sup> in Arizona and Glen Canyon in Utah. It illustrates how a Hopi sense of identity and continuity is inextricably linked to historical events across the landscape, and how contemporary Hopi customs and place-based ceremonies "activate" and enliven the landscape. It shows how stories connect past and present places, how the cultural landscape was created through generations of experiences and encounters, and how "members of the Hopi Tribe understand the land in relation to specific events and historical conditions that provide the context for cultural comprehension...In this way, the Hopitutskwa landscape represents a collection of experiences that cohesively binds the Hopi people to the land and to each other."*

Case 5 - 'Gardens and Landscapes: At the Hinge of Tangible and Intangible Heritage'

*"This case explores the notion of gardens as the result of "the interlacing of nature and culture," and investigates how historic and contemporary gardens and municipal parks in different locations - China, Japan, India, Britain, and Guadeloupe - are cultural configurations that transform over time as a result of the intangible cultural elements and value systems of those who make and transform them. The gardens serve as a link between the past and the present by providing meaning through historic and Indigenous garden rituals and traditions that would have to be negotiated in contemporary public space settings. The case concludes with the suggestion that "the conservation of gardens and landscapes does not depend so much on their material continuity with the past, but rather on the existence of strong cultural symbols and citizen's initiatives."*

This case illustrates how First Nation beliefs, practices and world-view of the natural environment at TRUP, can potentially be concretized and embodied.

Case 6 - 'Preserving the Cultural Landscape Heritage of Champaner-Pavagadh'

*"This case investigates a multivalent landscape... that has both tangible and intangible heritage dimensions associated with contesting layers of Hindu and Muslim heritage...The case advocates the preservation of the traditional knowledge base and skills that were used*

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<sup>4</sup> Direct quotation meaning having negotiated rights to use without ownership or altering the land.

<sup>5</sup> A mesa is an elevated landscape with steep sides.



*to produce the historic architectural monuments. Given that it's the "cultural knowledge and traditional technologies that produce the material world." The authors argue that*

*proponents "could do much to preserve intangible heritage by creating suitable conditions for its enactment. This involves ensuring a physical locale for ritual movement and performing arts, craft production, and valued landscape experiences."*

Case 7 - 'The Heritage of Kunqu: Preserving Music and Theater Traditions in China'

*"This case is relevant to TRUP for its potential to inform celebrating First Nation singing, dancing and performance aspects of their intangible cultural heritage."*

#### **F. Conventions and law regarding Intangible Cultural Heritage (ICH)**

The TRUP First Nations Report used the intangible cultural heritage domains proposed by the UNESCO 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, as organizing framework to structure the intangible heritage of the First Nations vis-à-vis TRUP.

These ICH domains are,

- a) Oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
- b) Performing arts;
- c) Social practices, rituals and festive events;
- d) Knowledge and practices concerning nature and the universe;
- e) Traditional craftsmanship.

#### **G. Evolution of the TRUP Cultural Landscape**

The TRUP First Nations Report traces the evolution of the TRUP cultural landscape from a Pre-colonial time through three epochs of colonial and "race-based place-making, dispossession and displacement," and illustrates via time-slice analysis, the 'ethnic cleansing' of the Indigene population.

The following graphic provides a chronological overview of historical developments and illustrates the evolution of the TRUP cultural landscape.





#### **H. Voices of the First Nations - Indigenous Narrative of TRUP**

This section of the TRUP First Nations report dealt with the multivalent Indigenous narrative that articulated the significance of TRUP to the First Nations.

The following excerpts, are the words of Indigenous knowledge keepers and traditional custodians:

##### First Nations claim to the TRUP landscape

*"We've located for instance, that was the settlement of the Goringhaiqua. The Gorachouchuas often also camped together in that vicinity."*

*"The historical footprint is very clear. There's historical evidence that, that place was a settled place and that the GorinHaiqua were there, and that the only other people who interfaced with that site, were the Goringhaicona to some degree, because they are the people who came out of the GorinHaiqua and the Gorachouquas, which were a people who located in the south of the peninsula, in and around, Elephant's Eye going up to the areas known as the watered area, the Zeekovlei area and further up south up to Fish Hoek. There's a presence. And their traverse route, their migratory route landed them from time to time on that site."*

*"We go to the epicentre of the site which is located at the Oude Molen side. That whole area, that site is heritage laden but our whole fight has been around Oude Molen and its surrounding precinct which now is known as the Two Rivers Urban Park."*

*"Then there are other related narratives.  
There are people... there are Xhosa leaders, Zulu kings who were brought to that site, but they were brought to that site and they were housed there temporarily.  
The owners of that site were put to the sword.  
Our people had no problem with these other people. We had problems with those people.  
So there were Zulu kings and Xhosa leaders that, over time, were brought to that site, but that site is a Khoi site."*

An Indigenous knowledge keeper recounted a First Nation gathering in the Greater Namaqualand where Indigenous elders entrusted him with 'sacred sand,' imbued with the spirit of the ancestors



and the history of its people, which he had to restore to its historic landscape - so as to bind the people to the land of their ancestors.

*"Now those people use that space as their settlement place. It was huge, almost like a family reunion, or a reunion of memories. Almost like memories from the Cape reconnecting. I was like transporting that memory from the Cape, there, and reconnecting with an 18-century, 18-generation old memory of the Cape that they celebrated.*

*People cried, myself included....*

*The Goab, Hendrik Witbooi, asked me to speak.*

*I spoke....of my experience growing up, my environment. And how I was always asking questions that was never answered, or could be answered by the elders, old people here.*

*I had to go there to find the answers for the place here.*

*Those people assigned me with a big thing... They gave me sand from their special graves. They have a gravesite of their prominent leaders. They took me to their graves and then they gave me sand and they said; 'Take the sand with you to Cape Town. The sand is a symbol of uniting of people that walked on the sand. The dust of the ancestors are in there.'*

*It holds memory, the sand holds memory. They said: 'Take this sand home because these ancestors...their family line is linked to here, to Cape Town. Because in their lifetime, they could not come back, having left here. The sand was a symbol of how the dust of our ancestors and the memories are also held in that sand.'*

*I have the sand.*

*This is part of the story. I looked far and wide. I could not find a place that I could entrust it. You see, this is a task given to me by Goap King Henry Witbooi. He said: 'Take this sand and take it to Cape Town. Find a place for it.'*

*This was in 2008. I couldn't find a place. That sand is in my house. I haven't found it because I also felt within me...They told me, 'You'll know where is the right place and the right time for the sand to be held.'*

*I felt connected - at Oude Molen. When I came there, I felt boom!*

*Chief Basil Coetzee, he was telling me about the son of Gogosoa, Osinghkamma, that was killed when an elephant stampeded him around the grounds there at the Liesbeeck.*

*I felt there's so much memories, it's like. This! Is the space. But the time was never right."*

Gogosoa was a Chief of the Goringhaiqua.

### Indigenous Worldview

*"The Khoi and the San have the most exquisite symbiotic relationship with the soil, with the river, with the stars, with [Kaggen], who's the mantis. And, when you look at the Liesbeeck River, the flow of that river and the land next to it. When I talk about a symbiotic relationship, I 'm saying that the river is flowing within; it's embodied within the consciousness of the Khoi, and so is the land. You can't separate the two. So, when you separate the Khoi from the land permanently, you separate a part of the body itself. It's disembodiment of the physical body; the physical manifestation that's imbedded in them. By dislocating the Khoi permanently from the land and from its proximity to the river, you're completely; you're ripping the soul out of them. It was physical, visceral dislocation, because of the understanding, the integral understanding of connectivity."*

Fauna and flora were central to the Indigenous sense-of-self in relation to the landscape - "*Khoi and San commingled with plants and animals.*" Certain plants were used for food, healing and ritual purposes. Certain animals played defining roles in Indigenous cosmology and folklore. For example, the Eland is significant in both Khoi and San traditions.

*"The eland is one of the special animals. The eland wanes. 'Dit ween in Afrikaans.' It's a weeping. When it accepts its death, it wanes, cries. So, the Khoi and the San people have a special place for the eland, and it is always thought that upon reaching manhood, a young boy, he would hunt the eland to attain manhood."*

*"When we go to that site, we consider that site a sacred site, an important site. It's a site where we go and ask; where we herald our forebears because, we don't worship our ancestors you know, we herald them. 'Soos hulle se in Afrikaans, ons aanbid nie ons voorouers nie.' We only give thanks and praise to Almighty God. To us, our God is invisible when we say the Creator, we refer to the Creator. We refer to the Author of the universe. That's the place we give thanks to the Author of our universe. We give thanks for the fact that our forebears were given the responsibility of custody."*

11

*You see, the Khoi and San language has nothing to do with ownership of land, it's to do with custody. You can't own the land; the land is owned by Almighty God. The Author did not give title deeds; the Author gave you the responsibility to take care of paradise, to take care of this paradise on earth. When you go to the evermore, when you go to dwell closer to our Author, closer to our Creator but first of all we go and give praise and thanks to almighty God. It's a sacred site."*

*"We also go and remember. It's a place to remember. To remember, is to put the body together again. If you say to remember, it's to restore the narrative. So that's an important place of us coming together. It's a place where we come to restore to each other; our right to be associated with the culture and the knowledge systems and the heritages that our ancestors have gifted us."*

*"Places where rivers are coming together, are special places. Those rivers are connected with people and memory. Water holds memory. So, wherever rivers are coming together, at that point is a ceremonial place. So the Two Rivers, at that point, is one of them, because of the rivers coming together there. So that space holds a huge memory."*

*"They were cognizant of the weather changes, main elements like the moon, full moons, the new moons, and the cycles. That's how they sealed cycles of time."*

*"Also, the mountains were not just elevated spaces. They actually held some memory that was connected to it."*

### Ceremonies and Rituals

*"I've had many experiences there, good and bad. Many !Naus, rituals and ceremonies."*

*"This whole area is a space of engagement, a place of memory. A foothold for the Indigenous people. There is no other space we can go and engage in. We're going to have a !Nau there, have cultural events. We need cultural festivals, Indigenous cultural festivals, it needs a setting."*

*"The confluence of the Black River and the Liesbeeck River, that embankment area is the place where the Khoi would engage in marriage ceremonies and burial rites, cremation and these kinds of things. It's also a political hotspot, because that's where the tribes would gather and meet... So symbolically, confluences for the Khoi, had a tremendous resonance."*





Resistance and Liberation

*"Here you can actually identify for the first time where the act of land grab occurred, and then you can also identify for the first time where, without a leasing arrangement, without brokered arrangement, land was ostensibly stolen. You must also understand, this particular land is layered with a sedimentary pain of the first violation of the fence that was put up, which started the first Khoi war, which started the first forced removal .....*

*When that first war started.....it started that process of movement and elimination which over a 130-year period started from this war...the annihilation and extinction of the Cape San, we trace it back specifically to these people here."*

*"What about the holocaust of the first nations, about the genocide? So it's not just the recognition of this space, because coming with the recognition of this space, comes a responsibility..."*

*"On the broader spectrum it is, to us, a very significant period because of the amount of damage and decimation and destruction that it caused. For thousands of years integration with other groupings didn't result in this. You know that leopard toad, was not extinct, or close to extinction, before the Dutch came. So, when we talk in terms of environmental preservation, we had the black-mane lions here, hippos, and a whole range of elephants. These were shot out, and eventually with the fencing, the elephants just changed their route. The shooting of our animals that were also part of the symbiotic relationship of the Khoi. You can't just place the Khoi outside of its environment and say, that's the environment [You can't remove the Khoi from its environment]. The Khoi in itself has an environment.*

*There was tremendous pain when there were no more live animals. There was tremendous pain when the hippo colonies were wiped out. There was tremendous pain. Not only were the Khoi dislocated, but the sentient beings around them, with whom they had these kinds of relationships, were also shot..."*

*"The whole description of D'Almeida speaks about that area when they basically came down the river to attack Khoi settlements in that vicinity. So, there's a lot of significance there... massive significance."*



*"That particular space is the epicentre of the first, the most successful, anti-colonial battle on the African continent. The battle of 1510, with D'Almeida. We call it the Battle of Gorinhaiqua."*

*"It's the first scene of the first Khoi-Dutch war. Doman led and was injured in that war."*

*"It's also the first site where the Heeren XVII in Holland, gave van Riebeeck and his people the equivalent of a papal bull - a letter of authority - to allow them to grant land to colonial settlers. That's where it began."*

*"The first scene of major conflict of a group that had come to settle, to take over, to usurp occurred in those areas broadly known as the Two Rivers Urban Park. To us the confluence of the Black River and the Liesbeeck River are critical historical spaces."*

*"Actual battles occurred or started on that particular site. The D'Almeida battle started because D'Almeida's men came onto the site, they came down the river and they stole cattle from that particular site where you know the Two Rivers Urban Park is. From that particular place they stole, then they abducted children and they were bringing them to the beach and that's where the battle of 1510 occurred."*

*"The battle of 1659 occurred because of the letter of the Heeren XVII granting van Riebeeck the right to give his fellow colonists land that did not belong to him, that belonged to the Indigenous people. So, two major wars occurred there."*

*"D'Almeida was their fiercest outlaw who had responsibility for putting Indigenous peoples to the sword, and we were the ones who brought this great and fearsome militarist to heel. That's the significance of that site."*

## I. Aspirations of the First Nations

In terms of the TRUP First Nations report;

*"It's the collective aspiration and contention of the First Nations, that this remaining - fragmented - landscape, be authenticated as an Indigenous commemorative landscape with distributed spaces of engagement and Indigenous place-making, spanning different precincts (whilst acknowledging the co-existence of other, non-Indigenous layers of heritage)."*

Indigenous informants articulated the following vision for TRUP.

*"It's not that we Gorinhaiqua want the land; that we want to take the land, and we want to throw everybody off. We want that land to be the space for repair and recognition."*

*"It can be an example of how we as a country will do everything to allow for our healing; it can be memorialized. It can be a beautiful sanctified space where the whole world can come and join us in the deep history of who we are"*

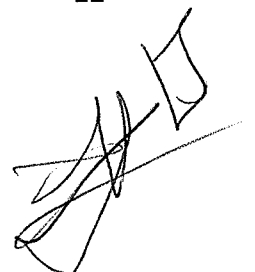
First Nation aspirations for TRUP include:

### 1. Acknowledging:

- That TRUP is part of the landscape of events that led to the *"Battle of Gorinhaiqua where the Indigenous Khoi defeated the Portuguese Viceroy, D'Almeida on 1 March 1510."*
- *"The TRUP area as the epicenter of the dispossession of land that kick-started centuries-long processes of Indigenous dispossession and displacement, with the Dutch East Indian Company (DEIC), via Jan van Riebeeck, granting land along the Liesbeeck River - that was used for hundreds of years by Indigenous people for grazing cattle - to colonial settlers."*
- *"The TRUP area as site of resistance to colonialism where Indigenous heroes and heroines like Doman, Autshmao and Krotoa - whose narratives are inextricably linked to the area."*

2. Providing a gathering place for Indigenous cultural performances such as the Rieldans.

3. Making provision for ceremonies and other ritual practices.



4. Incorporating Indigenous plants - used as food, medicine and ritual purposes - into the TRUP landscape.
5. Having an Indigenous Heritage Centre at TRUP.

#### **J. Spatializing the TRUP Indigenous Narrative**

This section of the TRUP First Nation report:

1. Proposes an approach to, *"indigenizing the TRUP landscape"* and
2. Holds that *"transformation to a commemorative landscape, can be achieved by using land, space and physicality, to give form, structure and functional expression, to the intangible cultural heritage of the Khoi and San."*

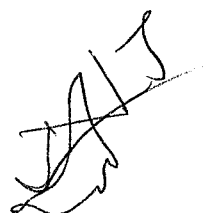
In this way the *"materialized Indigenous landscape would then be activated and enlivened through negotiated and enshrined Indigenous cultural practices and heritage activities."*

#### Methodology for Implementing Indigenous Narrative

The TRUP First Nation report proposes the following 4-step methodology for implementing the Indigenous narrative:

- Step 1- Structuring* the narrative according to the intangible cultural heritage (ICH) domains prescribed by UNESCO.
- Step 2- Embodying* the intangible *"through using land, space and physicality to give it form, structure and functional expression."*
- Step 3 - Activate and enliven "(culturally cultivate)" "the landscape through Indigenous cultural practices and heritage activities."*
- Step 4 - Enshrining access* to the landscape, which will facilitate *"ensoulment and reconstituting of Indigenous identity through the First Nations reconnecting their identity with place-based Indigenous spirituality and the ancestral domain."*

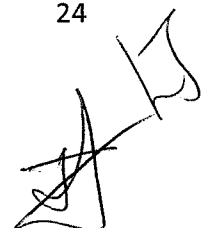
According to the TRUP First Nation report *"enshrining Indigenous access to an embodied, activated and enlivened (culturally cultivated) TRUP landscape, will support the "reproduction of the intangible cultural legacies" of the First Nations."*



### Blueprints

The TRUP First Nation report proposed the following blueprints for implementing the Indigenous narrative:

- *"Land can be used to tell the events of resistance with a beginning, a middle and an end laid out along a path that visitors can follow - with landscape as backdrop to the story."*
- *"The landscape can be punctuated with a combination of (1) solid memorial public art/sculpture (providing physicality to the intangible) in public space and (2) Memorial with accessible internal space. Fostering engagement and generating dialogue throughout."*
- *"A heritage centre - inspired by Indigenous architecture"*
- *"An open-air amphitheater - inspired by the layout and configuration of a traditional Khoi kraal - can be established as a place for public and Indigenous cultural performances (dance, music, theatre)"*
- *"A ceremonial and ritual circuit around the TRUP landscape can be developed, where identified spaces imbued with indigeneity and ritual significance can be demarcated for the practice of Indigenous ceremonies and rituals such as the !Nau."*
- *"Provision of dedicated land and spaces that can be used for Indigenous allotment gardens for the growing of Indigenous food and medicinal plants used by the Khoi and the San. These Indigenous allotment gardens would be curated by individuals and practitioners of the Khoi and San community who will be using the plants for personal consumption, healing purposes, ceremonial and ritual use, and community supply."*
- *"Traditional arts and crafts of the Khoi and San can be preserved, developed and promoted through the establishment of an Indigenous Arts and Crafts Training Centre and Gallery at TRUP. This will not only ensure the transmission and preservation of Indigenous crafting skills and know-how, such as making reed mats and "matjieshuise", it could also serve as a vehicle for economic empowerment of the Indigenous youth."*



- *"The centre could be managed by an Indigenous Arts and Crafts Cooperative who will also be responsible for promoting Indigenous art and craft production, referrals and networking, advocacy and lobbying, marketing and promotion,*

*storing and publicizing artworks produced by community members; fomenting new talent, and training young professionals to work in the sector. And resourcing and supporting Indigenous Khoi and San artists throughout South Africa."*

#### **K. Recommendations**

The TRUP First Nation report recommends that:

- *"The precept of acknowledging, embracing, protecting and celebrating the Indigenous narrative be a heritage related design informant that informs planning at all scales;"*
- *"A TRUP renaming process be introduced to the relevant competent authorities as an integral part of the indigenizing of the TRUP landscape."*

Handwritten signature or initials, possibly 'AJ', written in black ink.

## SECTION 2: DECONSTRUCTING THE TRUP CULTURAL LANDSCAPE

This section of the report deals with deconstructing of the TRUP cultural landscape.

The rationale for deconstructing the landscape is to:

1. Identify and assign contemporary tangible and intangible heritage elements of TRUP to specific historic periods;
2. Understand the temporal and spatial relationships between various heritage elements.

This will allow the report to locate and integrate the River Club site into the broader TRUP cultural landscape.

### A. Analytical Framework

The cultural landscape was deconstructed using an analytical framework that was developed through adapting and applying a 3-dimensional coordinate system which allows the display and spatial referencing of fragments of the past in 3-dimensional space.

In the framework, the Z-axis deals with the temporal dimension, or chronology, where the point '0' denotes contemporary time.<sup>6</sup> A negative value on the Z-axis refers to a point in time in the past i.e. a historical point. A positive value on the Z-axis refers to a point in time in the future.

The unit of measurement for the Z-axis is number of years demarcated in centuries and decades.

Given the focus of the project on the past - heritage -, specific historic events are referenced on the Z-axis.

At a specified point on the Z-axis - a designated period in time, or point of heritage enquiry -, the X & Y axes create a 2-dimensional Cartesian plane on which a particular cultural landscape is reconstructed and spatially referenced, using fragments of the archaeological record, oral history, and archival, ethnographic and historical research.

Multiple points of interest along the Z-axis can be elucidated through linked X-Y Cartesian planes with associated cultural reconstructions.

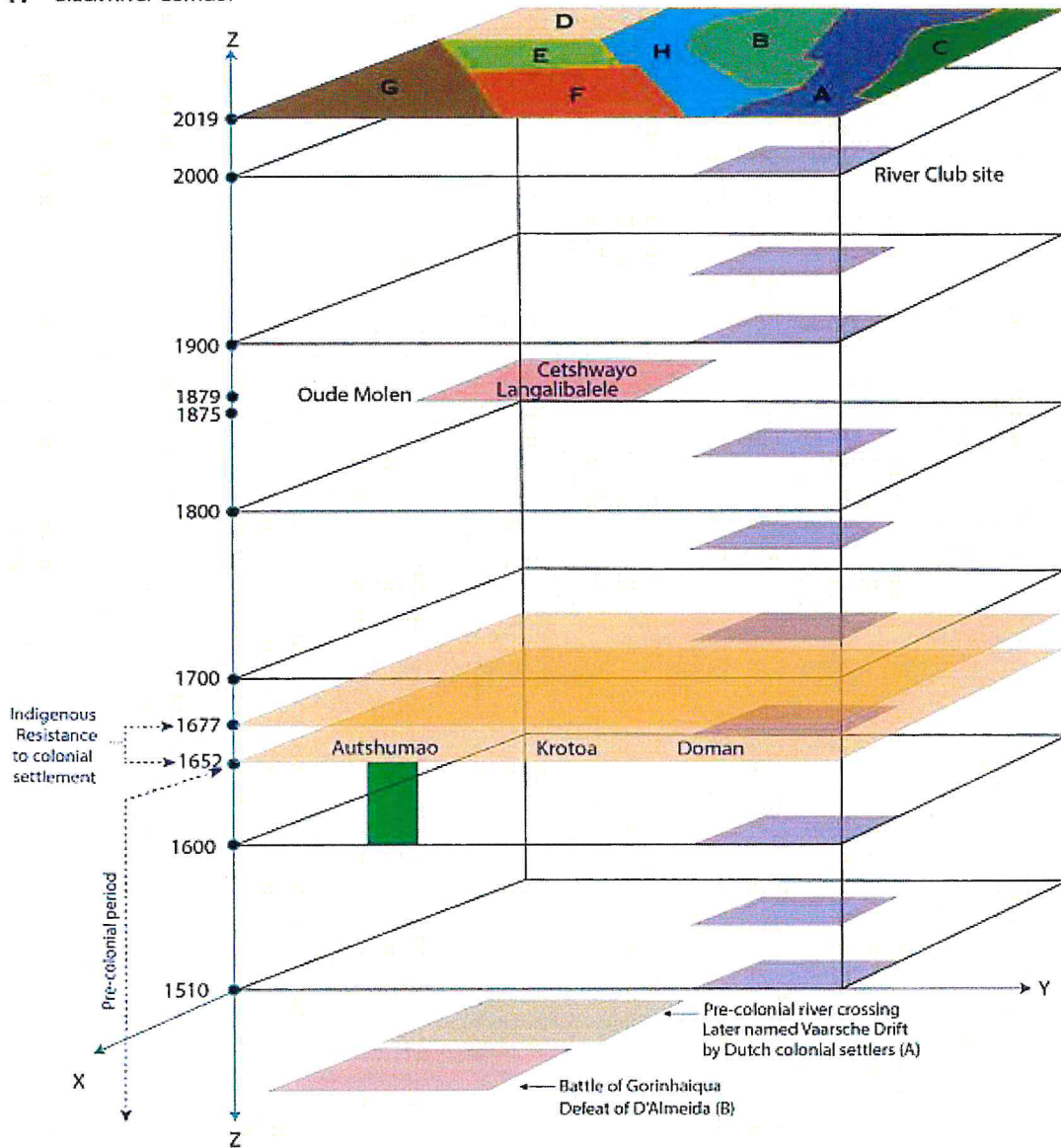
In this way, the analytical framework enables time-slicing of the cultural landscape, which is the first step in the deconstructing of the TRUP landscape.

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<sup>6</sup> For the purposes of this River Club First Nation report, contemporary time, or the '0' point on the time line, is November 2019.

- A** - Liesbeek River Corridor & River Club
- B** - Valkenberg Estate & SAAO
- C** - Sports-fields
- D** - Oude Molen / Pinelands Station
- E** - Maitland Garden Village
- F** - Alexandra Institute
- G** - Berkley Road Industrial Triangle
- H** - Black River Corridor

TRUP Indigenous Cultural Landscape



A and B are outside the geographic project boundaries of TRUP but inside:  
 (1) the collective First Nation memory and cognitive map;  
 (2) the historic pre-colonial indigenous landscape.

Figure 11 - TRUP Cultural Landscape deconstructed



The Two Rivers project area, with all its constituent precincts, is part of a larger historic Indigenous landscape, and can be located, or nested, within this larger landscape:

- *Spatially*, in relation to other features (approximate locations of Indigenous settlement areas, early colonial settlement in Table Bay) of the pre-colonial and early-colonial landscape;
- *Geographically*, as the surviving remnants of a historic Indigenous landscape;
- *Temporally*, as a location of early colonial encounters;
- *Cognitively*, in the collective memory and cognitive map of First Nations, as the historic Indigenous landscape of their ancestors;
- *Epistemologically*, based on Indigenous knowledge structures that comprises knowledge handed down from "the old people," and acquired through dreaming, trancing, divination, "presentiments", from stories, and "reading" the landscape (Van Wyk 2016:38).
- Ontologically, through the First Nations' deep, existential connection to the historic TRUP landscape - "*the land is not ours, we belong to the land.*" (Ibid)
- Cosmologically, through the Khoi and San sense of self, in relation to the environment (landscape, fauna and flora), and the moon.
- Historically, as an area where history-making and epoch-defining pre-colonial and early colonial events occurred.

Similarly, the Liesbeek River Corridor precinct can be located, or nested, in the broader TRUP landscape. And the River Club site, in turn, nested in the Liesbeek River Corridor precinct.

### B. Pre-colonial (pre-1652) Inhabitants of the Cape

The pre-colonial peninsula was first inhabited by the San, before they were displaced by pastoral Khoi groups; the Griguriqua, Chainouqua, Cochouqua, Gorinhaiqua and the Gorachouqua.

Another different kind of offshoot, the Goringhaicona made up of drifters and outcasts from all the aforementioned clans and assisted by the English, established themselves, first on Robben Island as a community of traders and later, on the mainland banks of the Camissa River (*//ammi ssa*) in Table Bay,<sup>155</sup> still as a trading community. They were neither a tribe nor a clan but a totally new creation of entrepreneurs formed to meet the needs of passing ships.

Interestingly, with reference to the Nama dictionary when you break down the components of the name Gorinhaiqua to its three parts (*!Uri - //ae - khoe*), it means white - coming together - with people.<sup>156</sup> The slightly disparaging term Goringhaicona means "our kin who drifted away from us".<sup>157</sup> Hidden social history may be discerned in clan names and by the practices that set formations or clans and tribes apart from other indigene communities.

Figure 12 - Mellet description of the Gorinhaicona

(Mellet: 81)

The Gorinhaiqua and the Gorachouqua became permanently settled in the area that is today known as the Liesbeek, Mowbray and Rondebosch. (Ibid)

In 1613 the Gorinhaiqua Chief, Xhore (a.k.a. Coree, Corey, Corree) was kidnapped by a Captain Towerson of the *Hector*, and taken to England with the intention to teach him the "English language and manners" so that, on his return to the Cape, he would become the principal agent (*comprador*) and interlocutor for the bartering of livestock between the Khoi and the British East India Company.

Chief Xhore returned to the Cape in 1614.

According to Walter Peyton, who was at the Cape in 1615, Chief Xhore's "*village*" was eight miles (approx. 13 km) from the bay and consisted of 100 huts; and there was another consisting of 10 huts on the east side of Table Mountain (Raven-Hart 1967: 72)."

According to (Mlambo, A.S. and Parsons, N.: 2018) Chief Xhore "*founded a village of 100 houses on the Liesbeeck and Swart rivers - the first substantial settlement in the area of future Cape Town. It was described with some exaggeration in February 1617 by a sailor arriving on what is now the Groote Schuur hospital ridge:*

*...when we were come to the top of the hill, some four miles from our tents, we saw in the valley below about 10,000 head of cattle, and by judgement about 5,000 people which fled not for fear of us."*

### **C. Indigenous Resistance to Colonial Settlement (1652 - 1677)**

#### *Groups at the Cape at the time of Jan van Riebeeck*

On his arrival at the Cape in 1652, Jan van Riebeeck encountered and had various dealings with the Indigenous groups, particularly, the peninsular Khoi groups, the Gorinhaiqua and the Gorachoqua.

There was also the Goringhaicona whom Jan Van Riebeeck describes in a memorandum "*for information and guidance of his successor Z. Wagenaar.*"

1662.] OF THE NATIVE TRIBES OF SOUTH AFRICA. 247

The GORINGHAICONAS, of whom Herry has been usually called the Captain; these are strandloopers, or fishers, who are, exclusive of women and children, not above 18 men in number, supporting themselves, without the least live stock of any description, by fishing from the rocks along the coast, thus furnishing a great accommodation to the Company's people and freemen, and also rendering much assistance to those who keep house, by washing, scouring, fetching firewood, and other domestic work; and some of them placing their little daughters in the service of the married people, where they are clothed in our manner, but they must have a slack rein, and will not be kept strictly, such appears to be contrary to their nature; some of them, however, begin to be tolerably civilized, and the Dutch language is so far implanted among them, old and young, that nothing can any longer be kept secret when mentioned in their presence, and very little in that of the—

Figure 13 - Jan Van Riebeeck description of the Gorinhaicona 1662

(Moodie: 247)

*The Goringhaiconas subsist in a great measure by begging and stealing.—Among this ugly Hottentoo race, there is yet another sort called Goringhaiconas, whose chief or captain, named Herry, has been dead for the last three years: these we have daily in our sight and about our ears, within and without the fort, as they possess no cattle whatever, but are strandloopers, living by fishing from the rocks. They were at first, on my arrival, not more than 30 in number, but they have since procured some addition to their numbers from similar rabble out of the interior, and they now constitute a gang, including women and children, of 70, 80, or more. They make shift for themselves by night close by, in little hovels in the sand hills; in the day time, however, you may see some of the sluggards (*luyarts*) helping to scour, wash, chop wood, fetch water, or herd sheep for our burgers, or boiling a pot of rice for some of the soldiers; but they will never set hand to any work, or put one foot before the other, until you have promised to give them a good quantity of tobacco or food, or drink. Others of the lazy crew, (who are much worse still, and are not to be induced to perform any work whatever,) live by begging, or seek a subsistence by stealing and robbing on the common highways; particularly when they see these frequented by any novices out of ships from Europe.*

Figure 14 - Jan Van Riebeeck description of the Gorinhaicona in 1666

(Moodie: 291)

Whilst the initial engagements between the Dutch colonials and the local Indigene were viewed by the Indigenous groups as just a continuation of a decades-long bartering and trade between locals and the passing ships of European nations, it soon became apparent that the Dutch intended to occupy and settle the land, and claim its natural resources.

As the Dutch East India Company (DEIC) started to grant land to freeburghers (colonial settlers) they set in motion a series of events that would culminate in escalated conflict with Indigenous groups.

On 5 July 1658 the Gorinhaiqua were ordered east of the Liesbeek boundary and 'fence,'

*"That Caepman [Gorinhaiqua] shall continue to live with his camp on the East side of the Salt and Fresh River Liesbeecq, because on this side the pasture is too confined for us alone," Moodie.*

In 1659 Doman (of the Gorinhaiqua) initiated guerrilla-style attacks on the freeburghers who had claimed Indigenous custodial land along the Liesbeek valley, for themselves. Thus starting the First Khoikhoi-Dutch War.

On 6 April 1660

*"Caepmans [Gorinhaiqua] engaged to do their best to induce other tribes to bring us as many as possible out of the interior in due time. They dwelt long upon our taking every day for our own use more of the land, which had belonged to them from all ages, and on which they were accustomed to depasture their cattle, &c.*

*They also asked, whether, if they were to come into Holland, they would be permitted to act in a similar manner, saying, "what would it signify if you remained here at the Fort, but you come quite into the interior, selecting the best for yourselves, and never once asking whether we like it, or whether it will put us to any inconvenience." They therefore insisted very strenuously that they should be again allowed free access to the pasture.*

*It was at first objected that there was not grass enough for their cattle, and for ours also ; they said in reply,—“ have we then no cause to prevent you from procuring any cattle ? for, if you get many cattle, you come and occupy our pasture with them, and then say the land is not wide enough for us both ! who then can be required, with the greatest degree of justice, to give way, the natural owner, or the foreign invader ?*

*They insisted much upon their natural right of property, &c. and that they should at least be at liberty to gather for their winter food, the bitter almonds, and roots which grew there naturally ; but this also could not be acceded to, because on the one hand, it would give them too many opportunities to injure the colonists, and on the other, because we this year had need of the bitter almonds ourselves, for the purpose of planting the projected hedge or live fence—(a reason which was not stated to them) but they insisted so much on this point, that this word must out at last :—that they had now lost that land in war, and therefore could only expect to be henceforth entirely deprived of it, the rather because they could not be induced to restore the cattle which they had, wrongfully and without cause, stolen from us ; that their country had thus fallen to our lot, being justly won by the sword in defensive warfare, and that it was our intention to retain it." (Moodie: 205)*

The mind-set, policy and practice of the colonial settlers, as reflected in the above excerpt from Jan Van Riebeeck's diary, caused much discontent amongst the Indigenous groups and was to cause the Second Khoi-Dutch war from 1672-1677.



#### **D. TRUP Cultural Landscape and the Indigenous Heritage Premium of its Precincts**

Given that the entire TRUP project area was part of the historic Indigenous landscape, each of the precincts that make up TRUP has a measure of Indigenous cultural heritage<sup>7</sup>. And because of this, determining and apportioning the Indigenous heritage value, or cultural capital, of each precinct becomes paramount.

One way to do this, is to ascertain what tangible and intangible cultural elements are precinct-specific, and which elements cut across two or more precincts.

#### **E. Determining the River Club's Share of the Indigenous Heritage Premium of TRUP**

The River Club site is one of many sites within the Liesbeek River Corridor Precinct, which is one of eight precincts of TRUP.

At 15 hectares, the River Club site is a small part (5%) of a much larger TRUP cultural landscape that extends to approximately 300 hectares.

The River Club site cannot be dislocated from the broader landscape, and the extent to which the site bears testimony to its Indigenous cultural heritage, is determined by the amount of Indigenous cultural capital that can be assigned to the site. This assignation of Indigenous cultural capital, takes place through ascertaining and attributing, site-specific and cross-cutting tangible and intangible cultural elements.

#### **F. Cross-cutting Cultural Elements**

The following strands of the Indigenous narrative cuts across all precincts of TRUP:

##### *Dominion of the Gorinhaiqua*

TRUP was part of the area that historically used to be settled by the Gorinhaiqua, Gorachouqua and the Cochoqua.

First Nation informants concurred that the TRUP area was the dominion of the Gorinhaiqua.

*"The area where the Two Rivers Urban Park development is taking place is Gorinhaiqua."*

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<sup>7</sup> The presence of cultural artefacts of subsequent place-making (Dutch colonial, British colonial and Apartheid) on some precincts, does not negate the shared foundational historic Indigenous landscape of these precincts, nor does it absolve the contemporary custodians of these precincts and their land parcels, of "*acknowledging, embracing, protecting and celebrating the Indigenous*" foundational elements and dimensions of precinct-specific cultural landscapes.



*"That area is under the auspices of the Gorinhaiqua."*

*"All those places at the Two Rivers fall under the jurisdiction of the Gorinhaiqua."*

*"The Gorinhaiqua and the Gorachouqua often camped together in that area"*

Before the movement of the Khoi groups (Gorinhaiqua, Gorachouqua, and Cochoqua) into the area, the San used to traverse the landscape.

#### *Battle of Gorinhaiqua*

In the Comment Objection: River Club Redevelopment Pre-Application BAR made on 16 September, 2019, the Goringhaicona Khoi Khoin Indigenous Traditional Council asserts that;

*"The first patriotic battle of resistance against a colonial power **occurred on the precinct<sup>8</sup>** on March 1, 1510. This is a battle the Goringhaiqua fought against Portugal's Viceroy Francisco De'Almeida."(2019:24)*

The assertion that the Battle of Goringhaiqua "*occurred on the precinct*" is understood to mean the River Club site. The notion that the Battle of Goringhaiqua "*occurred on the [Liesbeek River Corridor and River Club Precinct and/or River Club site]*" is refuted by the First Nation Collective, and is not borne out by any historical record or evidence.

There is a big difference between what is referred to as the Liesbeek River Corridor and River Club Precinct, and the area under discussion, which is the River Club site.

According to the First Nation Collective, TRUP is part of the "*pathway of assault*" followed by D'Almeida's party when they attacked the Gorinhaiqua settlements in the vicinity.

*"This is the corridor that represents the pathway of the assault of 28 February 1510, when the Portuguese militarist, Francisco D'Almeida, sent his troops inland to steal livestock and abduct woman and children from our Indigenous settlement, located close to the proposed development area. Consequently, this resulted in one of the most successful anti-colonial battles in Africa, known as the Battle of Gorinhaiqau, in which D'Almeida and a large contingent of his forces died on the shores, close to the estuary of the confluence of the Black and Liesbeek Rivers." (Gorinhaiqua Cultural Council: 2019)*

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<sup>8</sup> Author emphasis.



### *Colonial-settler 'Grilagem'*

The TRUP landscape is where the first colonial-settler 'grilagem'<sup>9</sup> occurred in South Africa.

*"The proposed development area is also most sensitive because it falls within the framework of a Heren XVII letter of authorisation of 1656, granting the governor of the then Fort, the right to usurp the lands of the Peninsular Khoi for the benefit of the colonists who were co-travelers of Jan van Riebeeck."* (Gorinhaiqua Cultural Council: 2019)

The establishment of colonial-settler farms on the historic Indigenous landscape triggered the ethnic cleansing of the indigene from the landscape.

### *Resistance to 'Grilagem'*

The TRUP landscape holds the memory of resistance by the indigene to the colonial-settler 'grilagem'. This resistance manifested in the actions of different individuals, in different forms, at different times and at different scales. Most notably being Doman, the Gorinhaiqua resistance leader, and the two Khoi-Dutch wars. Significant others amongst the Indigenous cast of characters during this period were Autshomao and Krotoa. The narratives of the Indigenous protagonists, Doman, Autshomao and Krotoa, are intertwined, and traverse the TRUP cultural landscape.

### *Appraisal of Cross-cutting Elements of Indigenous Narrative vis-à-vis River Club Site*

Whilst the River Club site is part (albeit, a small part) of the larger TRUP cultural landscape that holds the memory of the Indigenous narrative, no cross-cutting, narrative-defining event for any of the strands of the Indigenous narrative; be it, the dominion of the Gorinhaiqua, Battle of Gorinhaiqua, Colonial-settler 'grilagem', or resistance to 'grilagem,' can be attributed specifically to the River Club site.

In terms of dominion of the Gorinhaiqua, no tangible or intangible reference has been made to the Gorinhaiqua having settled specifically on the River Club site.

In terms of the Battle of Gorinhaiqua, no tangible reference in the historic record, or intangible reference in the First Nation oral history, has been made to any element of the encounter with D'Almeida's party specifically taking place on the River Club site.

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<sup>9</sup> 'Grilagem' is a Portuguese term for land grabbing that has a "dark, heavy, violent meaning, involving abuses and arbitrary actions against the former occupants... with forced loss of possession by the taking of land". Grilagem encapsulates sanctioned violent destruction of the Indigene, ethnocide, expropriation, dispossession and displacement with "irregular procedures, illegal landholding associated with violence, exploitation of wealth, environmental damage and threat to sovereignty." ([https://en.m.wikipedia.org/wiki/Land\\_grabbing](https://en.m.wikipedia.org/wiki/Land_grabbing))

With regard to Colonial-settler 'grilagem' the River Club site was most likely part of an early pre-colonial landscape from which the Indigene was displaced and/or precluded from having access to.

In terms of resistance to 'grilagem,' no specific act of resistance, battle or encounter, whether tangibly manifested or intangibly articulated, have been attributed specifically to the River Club site.

### **G. Site-Specific Cultural Elements**

This part of the assessment of the River Club landscape seeks to determine whether there are any Indigenous cultural elements specific to the River Club site.

#### *G.1. Burial Grounds*

In the Comment Objection: River Club Redevelopment Pre-Application BAR made on 16 September, 2019, the Goringhaicona Khoi Khoi Indigenous Traditional Council contends that the River Club site holds;

*"Culturally significant and sacred Khoi burial grounds"*

This determination addresses the issue of whether there could be Khoi or San burial sites on the River Club site.

Engagement with First Nation knowledge keepers and traditional custodians indicated that:

1. The Khoi and San do not have a tradition of burying their dead in places prone to flooding, nor are there any references in their collective memory of Indigenous burial sites at water-logged locations, or places at risk of flooding.
2. Based on their oral tradition and the memory of historic practice of the First Nation Collective, there are no Indigenous sacred burial grounds on the River Club site that the Indigenous knowledge keepers and tradition bearers are aware of.

*"We do not bury our dead in a wetland."*

*"Do you think our ancestors will bury their dead where their bones will be washed away by the waters, and the graves of the dead will be trampled on by thousands of cattle and sheep during the seasonal migration?"*





Old burial grounds tended to be at the higher points of a landscape, elevated spaces, rocky outcrops and caves.

In addition to the narrations of Indigenous informants, no account or intimation of Khoi or San burial grounds in flood-prone areas could be found in any historic, ethnographic or archaeological reference.

An archaeological assessment of the site that was conducted in 2017 concluded the following:

The subject property has been dramatically altered and transformed. Apart from the northern portion, most of the site has already been developed. The 'undeveloped' northern portion, alongside the railway line is severely, degraded. There is likely a long history of disturbance in this area. It comprises mostly fill material, probably from when the railway line was constructed, and also from the Black and Liesbeek River when they were canalized. Extensive dumping has also probably taken place prior to development of the River Club.

No archaeological or historical objects or remains were encountered during the baseline study. Most of my attention was focussed on the northern portion of the site, alongside the Black River and the railway line.

The probability of locating significant archaeological heritage during implementation of the project is therefore considered to be very low.

No visible graves were noted, and it is highly unlikely that these occur on the property.

Indications are that there in terms of archaeological heritage, there are no constraints (nor opportunities) associated with the proposed redevelopment of the River Club in Observatory.

Figure 15 - Excerpt from Kaplan archaeological assessment

(Jonathan Kaplan: 2015)

The River Club site was part of a historic and pre-colonial wetland that "*encompassed the Black River, Salt River and Liesbeek estuary (incorporating land in the confluence of the rivers)*" (Schiecotte and Hart 2015), is within a flood plain, and "*is currently subject to repeated seasonal flooding.*" (Attwell 2017: 77)

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Figure 16 shows the River Club site with wetlands in 1899.



Figure 16 - Cape Northcott Military sketch 1899 which indicates the river Club site with vegetation and wetlands, CCT 2016 in O'Donoghue: 2016)



Figure17: 1934 Aerial photograph of River Club area.



Figure 18 - 1934 aerial photos of the River Club site

According to Hart (2019) the aerial photograph shows *"that almost all the land that makes up the River Club is in fact an artificial island that has been reclaimed from the estuary. On the North West side is land just reclaimed for the railway yards. The River Club is a trapezium shaped land parcel surrounded by artificial drainage canals. In the wetland area (flooded) one can see the tell-tail work of a dragline excavator that has dug sand from the estuary to create the reclaimed land. What we have referred to as the old Liesbeek is not a river at all but an early artificial drainage canal which a second man-made canal surrounds the River Club trapezium on all sides.*

*The River Club is almost all on an artificial island, it's not grazing land and it's very much not a burial ground. It is an engineered landscape that has become softened by time and in places has developed some natural qualities.....nothing is original, only the Observatory hill."*

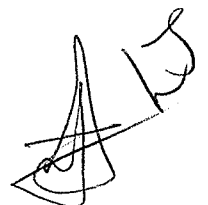




Figure 19 - Flooding of Liesbeek Sportsgrounds

Source: Church, 1994



Figure 20 - Flooding of Raapenberg Bird Sanctuary and the Black River

Source: Church, 1994

Handwritten signature or initials, possibly "JL" or similar, written in black ink.

Given the refutation of the First Nations Collective who are the Indigenous Khoi and San knowledge keepers and custodians of tradition, the archaeological assessment of Kaplan, the archaeological appraisal of the historical record by Hart, the absence of any reference or intimation in ethnography, and given that the site is part of a historical wetland, there is a strong unlikelihood of there being any Indigenous burial sites on the River Club site.

### *G.2. Pre-colonial River Crossing Points*

In the Comment Objection: River Club Redevelopment Pre-Application BAR made on 16 September, 2019, the Goringhaicona Khoi Khoi Indigenous Traditional Council refers to "*cultural routes and itineraries*" as one of four categories "*in which places associated with intangible heritage values have been inscribed onto the World Heritage List.*"

The submission proceeds to reference an excerpt from the 2016 Two Rivers Urban Park Baseline Heritage Study.

*"The Varsche Drift crossings are worthy of further physical heritage survey and assessment albeit that the area lies within a milieu of railway and freeway crossings. The confluence of the Black and Liesbeek Rivers has special significance as it this is possibly the least untransformed wetland in the study area."*

*(Attwell October, 2016)*

In pre-colonial times (and well into colonial times), a combination of the Salt, Black and Liesbeek rivers formed an inter-riverine zone and estuary that divided the Cape landscape into the Table Bay part of the Peninsula, and the hinterland. At the time, river crossings were the entry points between the western and eastern landscapes, and tended to move seasonally.

Any remnant of these pre-colonial river crossings in the contemporary landscape would have considerable heritage significance, in that it would hold the memory of pre-colonial events, the footprints of the Indigenous cast of characters associated with the landscape, and would be touchpoints for First Nations to connect with their ancestral landscape.

Given the aforementioned potential living heritage value and cultural capital of a historic river crossing in a contemporary landscape, ascertaining whether the River Club site was part of, or contained a **pre-colonial** river crossing, becomes paramount.

Whilst a mid-18th century map of the project area shows a river crossing (Figure 21), it's impossible to:

1. Determine whether the crossing is on the River Club site;  
(Personal communication, Tim Hart 6 Nov 2019)



2. Determine whether the crossing is pre-colonial. Given that, at the time of the development of the map (circa 1760), the Indigenous population who traversed the landscape in pre-colonial times, had been displaced by 1660 already, i.e. a century before the drawing of the map, and the area would have had 100-years of Dutch-colonial place-making.

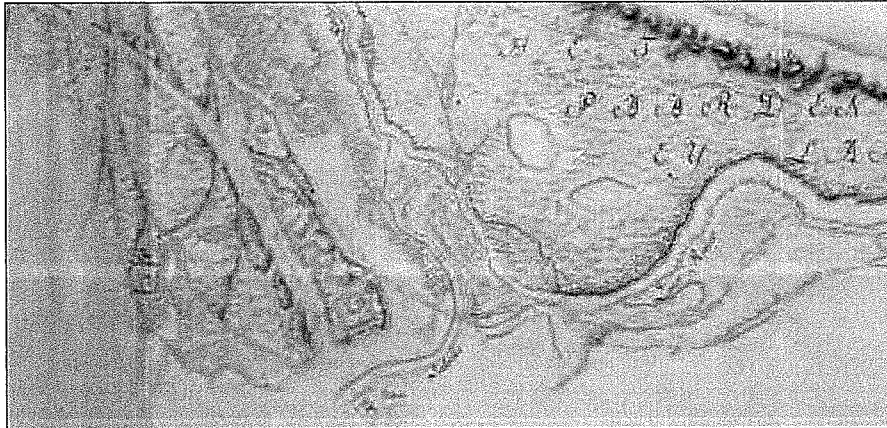


Figure - 21 mid-18th century map

Historical enquiry, backed up by evidentiary support, locates a pre-colonial river crossing north of the historic confluence of the Liesbeek and Black rivers.

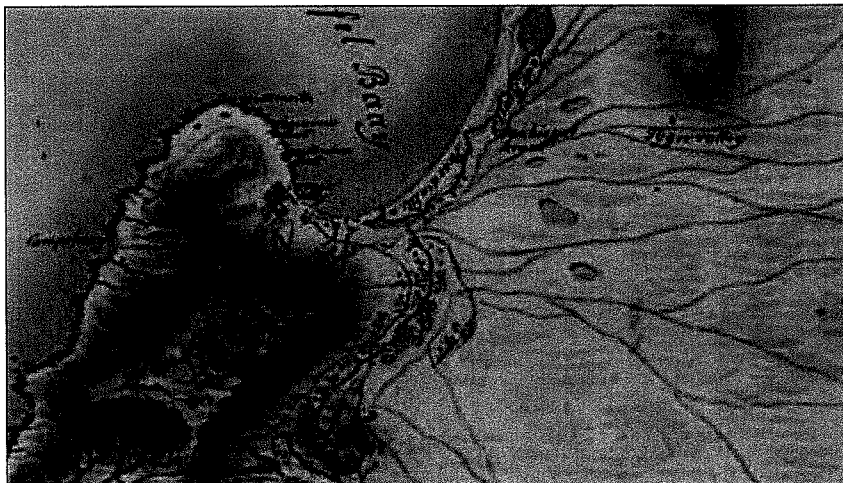


Figure 22 - Undated map of the area

The mapped crossing north of the confluence of the Liesbeek and Black rivers, is supported by historical enquiry that references the Vaarsche Drift crossing as a likely area of pre-colonial crossing.

The area north of the TRUP site is potentially *"of high heritage value in terms of precolonial movement patterns and patterns of settlement as a cattle route from the north is likely to have crossed the river system at the point where the Black and (original) Liesbeek River became the Salt River Lagoon. This would (subject to changes in the riverine spaces) have been in the vicinity of Vaarschedrift area and the railway bridge."* (Attwell:2016)

The following excerpt from the "Abstract of Criminal Convictions before the Court of Justice, Cape of Good Hope.—1662—1672" references the Keert de Koe guardhouse.

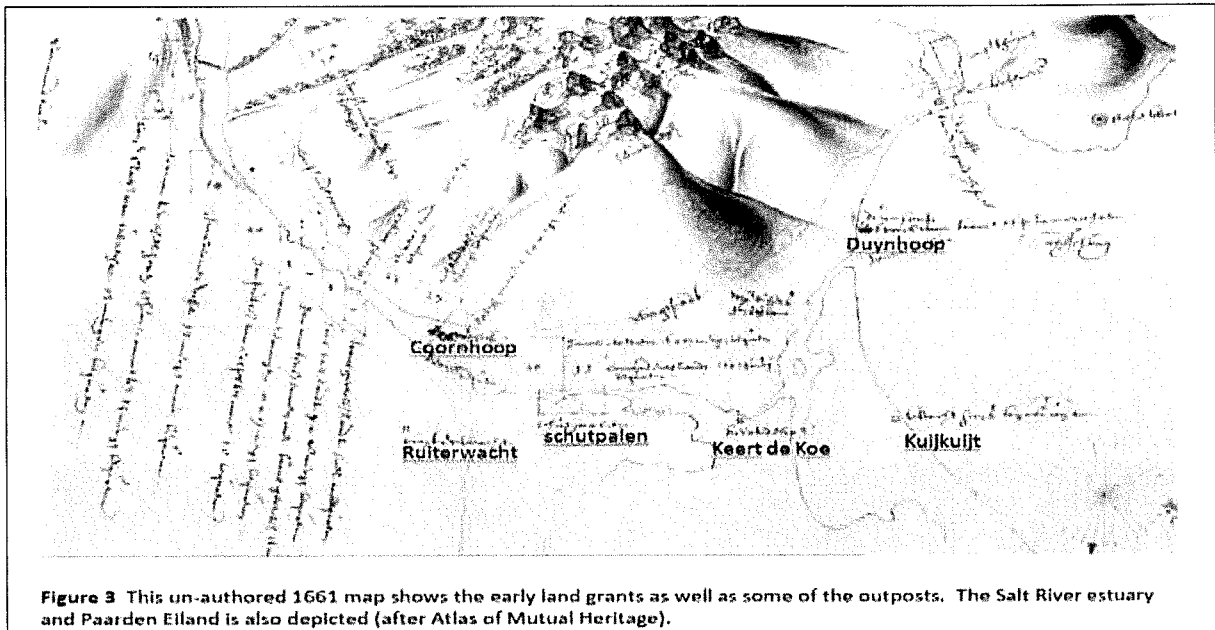
*"1663, Feb. 6.—Jacob Egbert, soldier; for buying 3 sheep from the Hottentoots at the guard house, Keert de Koe, of which he had charge, and worse still, buying them for the freemen, whom it was his duty to prevent and report; sentenced to be dismissed, and shipped as a sailor, to be flogged, and to pay a fine of 10 reals."* (Moodie 311)

Keert de Koe was a redoubt or defensive watchtower that guarded a river crossing along the river.

The following references places Keert de Koe north of the confluence of the Black and Liesbeek rivers.

According to Schietecatte and Hart (2015:3), whilst *"The positions of forts and outposts are difficult to determine. Indications are the Keert de Koe was situated close to the railway crossing of the Black River in Maitland..."*

The following *"un-transcribed map of 1661 ...gives some clues as to the position of parts of the early defensive line. It extended from the Salt River Mouth where the redoubts Keert De Koe and Duinhoop were built to keep watch over the northern cattle crossing at Varsche Drift. The term Keert de koe means "Turn the Cow" a direct reference to the need to control the movement of cattle from the DEIC held area. It is thought that Keert De Koe was built in Maitland, which makes sense because it was close to the crossing point to Table Bay. Cannon Road in Maitland may be a direct reference to the outpost."* (Schietecatte and Hart 2015:18)



**Figure 3** This un-authored 1661 map shows the early land grants as well as some of the outposts. The Salt River estuary and Paarden Eiland is also depicted (after Atlas of Mutual Heritage).

Figure 23 - Un-transcribed map of 1661





Figure 24 - Map of 1661 fortifications overlaid onto contemporary aerial photography (Jaggers HIA: 2016)

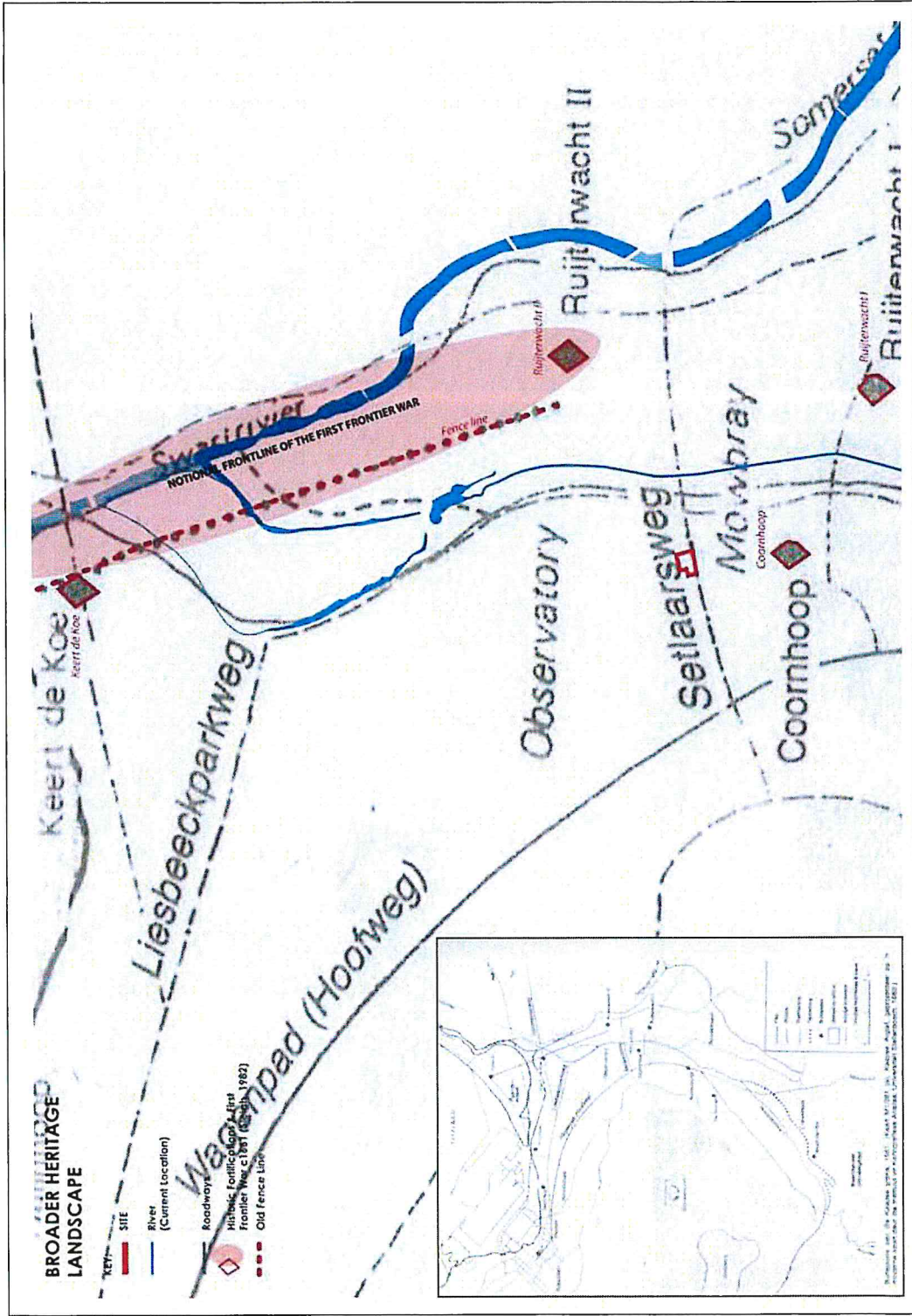


Figure 25 - Map of Dan Sleigh's line of fortifications in the Cape, scaled over the current alignment of river and roads (Jaggers HIA: 2016)

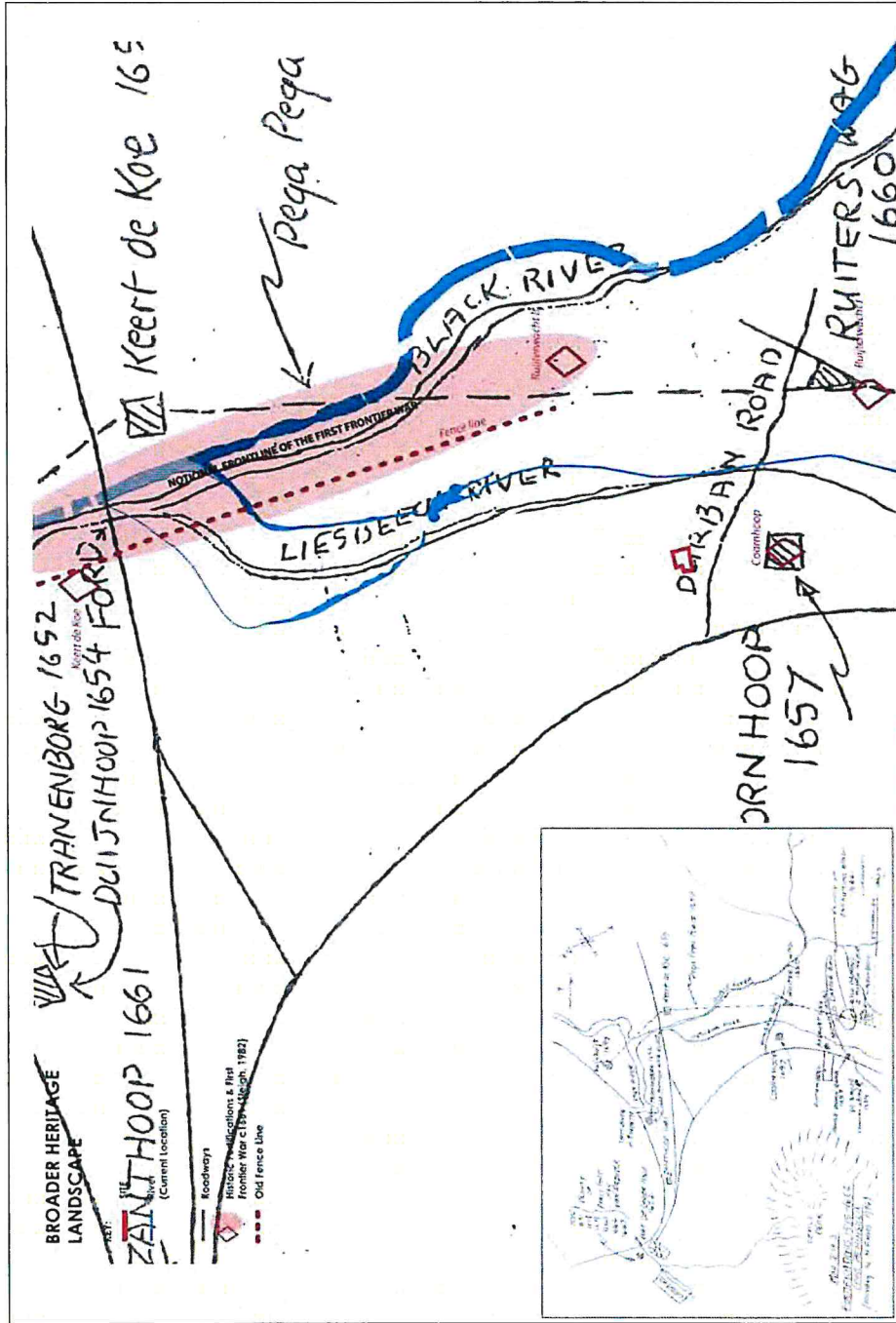


Figure 26 - Map of Mervin Emms' line of fortifications in the Cape, scaled over the current alignment of river and roads (Jaggers HIA: 2016)

The aforementioned cartographic references place the approximate location of a pre-colonial river crossing north of the confluence of the Liesbeek and Black rivers, i.e. north, and outside the River Club site, the Liesbeek River Corridor Precinct, and the TRUP project area boundaries.

This, combined with the fact that the area was a wetland (as previously argued) makes it strongly unlikely that the River Club site was part of, or contained a pre-colonial river crossing.

### *G.3. Significance of the River at the River Club*

*"The river tells the broader story of nationhood.  
The waterways connect us to ourselves and they connect us to rest of the world.  
The river becomes a story-telling trajectory, you use the river, or the places of  
repose along the river, to tell the stories of not only the Khoi and San, but also of  
the broader nation.*

*These are important spaces.*

*The rivers are spaces that tell important stories, but the river must tell its own  
story, we must allow the river to guide us in telling its story."*

*It is part of the path.  
Along the river, you start at one place....*

*The river ties all the precincts of TRUP together.*

*The river takes you further than TRUP, and tells you about your ancestors, and  
about the descendants of the people who were driven from here.*

*The river unlocks the pathway from dislocation to relocation.*


*The river holds the key to the right of return.*

*The river holds the master key. It is inside the river that we find ourselves again.*

*And it's also in the river, as the rivers flows into the big sea, that we find who we  
are in the broader sea of humanity.*

*So there is no disconnect between who is here and who is on the other side.  
The river is the interconnecting element.*

*It is central to the reimaging of the site and the TRUP landscape."*



### SECTION 3: INDIGENOUS NARRATIVE AND FIRST NATION AGENCY

This section of the report deals with First Nation ownership of the Indigenous narrative, radical reconciliation and the exercise of First Nation agency, and places on record the position of the First Nation Collective (Gorinhaiqua, Gorachouqua, Cochoqua, San Traditional Royal House of N||nꞑe, the Griqua Royal Council, and the National Khoi and San Council) with regard to the proposed River Club development.

#### First Nations as sole owner of the Indigenous narrative

Tauriq Jenkins, the chairperson of the Observatory Civic Association said: "This is a battle of restorative justice (It) has deep historical roots. It's important for all the stakeholders to take note. This is a very sacred ground."

Figure 27 - <https://www.iol.co.za/capeargus/news> 14 August 2019

Chairperson of the Observatory Civic Association, Tauriq Jenkins, said: "This is a battle of restorative justice. It has deep historical roots. It's important for all the stakeholders to take note. "This is a very sacred ground."

Figure 28 - Cape Argus, 22 Nov. 2019

First Nations made it clear that they, and only they, own the Indigenous narrative.

Also, only they have the right to deploy the Indigenous narrative.

*"For these detractors who usurp our narrative.  
You are part of the problem.  
You are standing in our way.  
Who are you, to use our narrative?  
It's an indictment of you to say we oppose development.  
We don't oppose the development.  
We can't stop people building - placing one brick on top of another.  
The question is: Does that brick bear our name? Or, does that brick tell a part of our story?  
We are not against development.  
It is paternalistic of the Observatory Civic Association (OCA), composed mostly of people who have no knowledge or experience of First Nation praxis.  
It's not for OCA and TRUPA to usurp the First Nation narrative to further their own agenda."*

### **Radical Reconciliation**

*"I want to articulate why we are in it [support the development].*

*We don't stand under the developer's flag.*

*We stand under our own flag.*

*We are not in it to break this.*

*We are in it to ensure that our concerns are taken onboard and that the development reflects a heritage that has been eviscerated."*

*"We have nothing against the development, we are not going to fight against the clock."*

*"Our people are not protesters.*

*We don't see why we should stand outside and make a noise.*

*Why must we be that undignified?"*

*"Can you imagine?*

*If the developer is able to read a foundational script into a multi-billion rand development.*

*A foundation script that centers the development.*

*With a protected enclave inside the space.*

*It also says that we are not driven to the margins.*

*The conventional narrative is you drive the indigenes to the margins.*

*Why should we be the backwater and not the mainstream?*

*Make the indigene the center, and give them dignity.*

*That must be a space of rebuilding dignity.*

*Part of the narrative document is about rebuilding dignity.*

*Our participation and support of the development tells you...*

*Broadcasts to the world that we are anchored.*

*Our participation and support of the development, not only activates this site, but all the other precincts that come after us.*

*This development activates all the other elements. Oude Molen and the rest.*

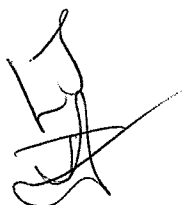
*We are tired of standing on the margins.*

*We want to be placed at the centre because our narrative is the stone that the builder of our democracy removed.*

*Part of the reason TRUP is unstable, is because it has no corner stone.*

*The Indigenous narrative is the corner stone to this entire development.*

*When they lay that cornerstone [incorporate the Indigenous narrative] it is the blessing of this development.*



*We are not standing in the way of development,  
Not standing in the way of building buildings.  
That's brick and mortar.  
The question is: on what do you stand?  
You stand on the 'bloedspoor' of our ancestors."*

*"We have engaged ...to ensure that the footprint of the Khoi and San's history of resistance, and its modern day resurgence is incorporated into the development plan."*

*"Ensuring that the spiritual and cultural symbols of the Khoi and the San finds resonance within the proposed development plan."*

*"Ours is not a narrative of rancour.  
You see, people think indigeneity is about protest.  
It has nothing to do with protest.  
Indigeneity has to do with restoration.  
Firstly, it has to do with restoration of human spirit, and key thing of restoration of spirit is to reconcile the people to the land."*

*The reason this development is good for us, is that the developer has taken the concern of rehabilitating the rivers.  
When you purify the water, you open up the way through which life can regenerate,  
When you purify water, you purvey the sense that life can regenerate where death has come.  
Regenerate at so many levels. At individual level, as a collective, and the environment"*

*"We can't return to Eden, because Eden happened a long time ago, but we can give vision.  
This site must be the optic realization of a vision of realization, restitution, reconciliation and recognition."*

*We bless this development by ensuring that the wells that were poisoned, the waters that were poisoned, once again regenerate life and reflect as close as possible as we can come to what gave life to that sweet water."*

*"Structures of the development are also testimony to our heritage.  
The Eland is symbolic and is the most majestic of all of the animals.  
The eland is a symbol of hope.  
The Eland is central to most of the First Nations (Khoi and San) cosmology.  
The Indigenous iconography can be interspersed with a range of things, throughout the development."*



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*"The Eland is a majestic animal.*

*We talk of using, majestic instruments, to begin to tell our story.*

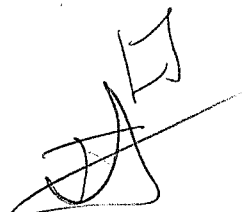
*The largeness of the building is actually good.*

*Our story can be seen from, and on, every story of that building.*

*That this, is a tribute to the people that were here.*

*It is also a beacon.*

*Like a lighthouse, a beacon of hope."*

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**First Nations exercising Indigenous agency**

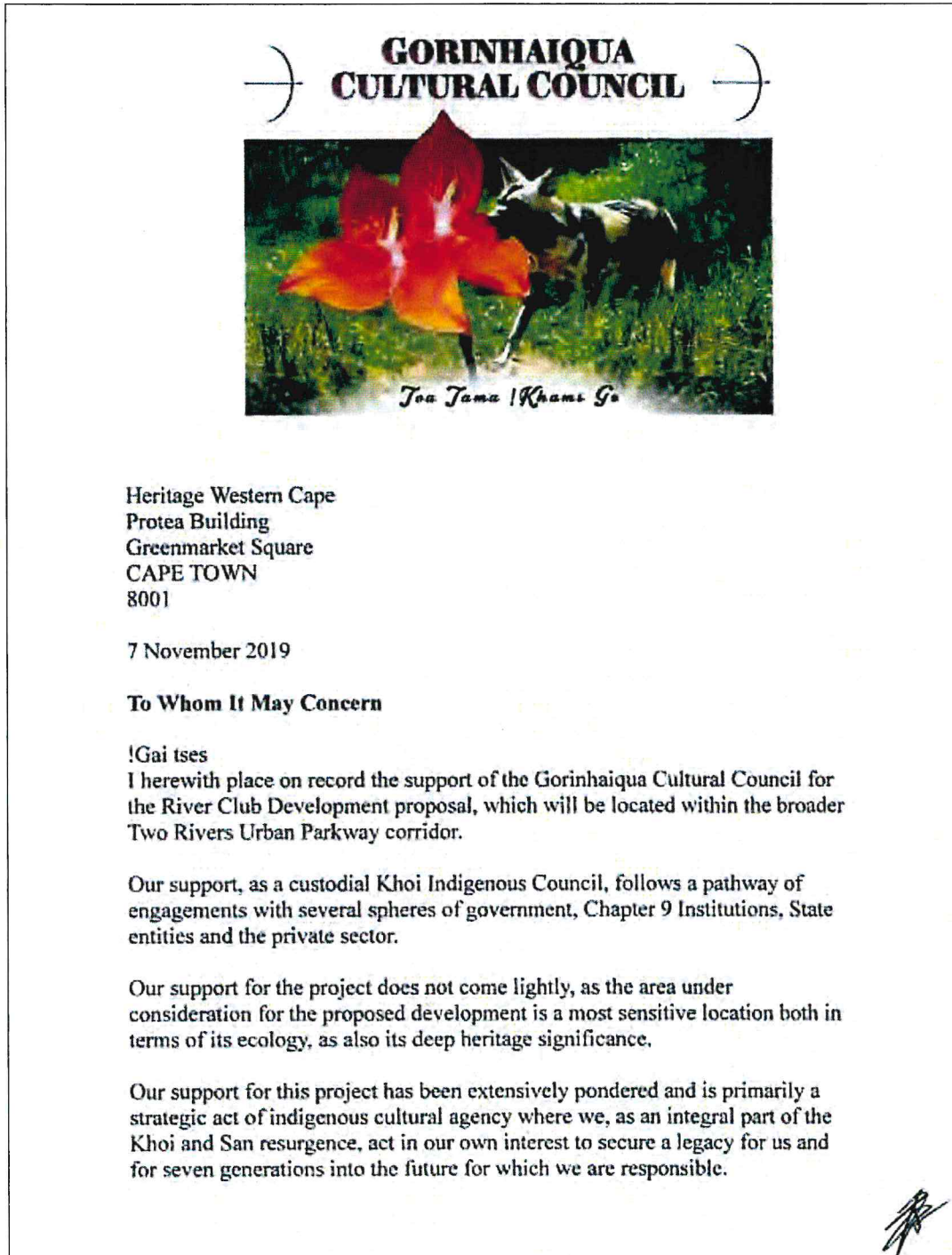


Figure 29 - Page 1-5 Gorinhaiqua letter (See Annexure 1)

As a cultural council it is without any doubt a most critical factor that the proposed development is located within an area which indisputably is part of the terrible history of our land, which caused the foundational peoples of that area to be put to the sword, dispossessed of their historical land, dispersed into the margins and subjected to a cultural and social genocide.

This is the corridor that represents the pathway of the assault of 28 February 1510, when the Portuguese militarist, Francisco D'Almeida, sent his troops inland to steal livestock and abduct woman and children from our indigenous settlement, located close to the proposed development area. Consequently, this resulted in one of the most successful anti-colonial battles in Africa, known as the Battle of Gorinhaiqau, in which D'Almeida and a large contingent of his forces died on the shores, close to the estuary of the confluence of the Black and Liesbeck Rivers.

The proposed development area is also most sensitive because it falls within the framework of a Heren XVII letter of authorisation of 1656, granting the governor of the then Fort, the right to usurp the lands of the Peninsular Khoi for the benefit of the colonists who were co-travelers of Jan van Riebeeck.

Needless to say, this act of aggression against the foundational indigenous peoples sparked the First Khoi-Dutch War of 1659-1660.

There are numerous other points of historical significance, but it suffices as reference here to note that it was the dispossession wrought on the Khoi peoples who historically were the custodians of this place that was once paradise, which is only now, 25 years into democracy, grudgingly recognized.

The significance of this area and the adjoining Oude Molen site, is that it has been the subject of intense engagement between ourselves and numerous senior state officials, including but not limited, to Premiers of the Western Cape government, Provincial Ministers of several Western Cape government administrations, Mayors of the City of Cape Town, the Chief Land Claims commissioners, several ministers of the National government and even the apex of governance, namely the Presidency.

We have also engaged several entities of the State in connection with this broad area and have been relentless in our efforts to bring cognition of our excised narrative within the ambit of our national culture, political, social and economic narrative.



Figure 30 - Page 2-5 Gorinhaiqua letter (See Annexure 1)



All our efforts in this regard have fallen on deaf ears, have been subjected to ridicule and, or bludgeoned with the arrogant silence of invisibility, which means being treated as never having spoken and not worthy of being heard.

It is this very phenomenon of always being trivialized, never being acknowledged and always having to contest the distortion, lies, obfuscations and the extremely disturbing fact that our narratives have been excised from the national story, our claims to recognition, restitution and restoration being relegated to the back burner and our essence as the descendants of the foundational peoples of this land being ransacked by mercenaries of all stripes that has caused us to draw a line in the sand.

This line in the sand we have drawn follows a very clear and signposted pathway, which includes sentinel events in which we have played a very definite role, including the National KhoiSan Consultative Conference in Oudtshoorn (April 2001) the World Conference Against Racism in Durban (September 2001), and, pertinently, more than two decades of engagements, meetings and workshops with the departments of cooperative government and traditional affairs, the department of Arts and Culture, the Department of Justice and the department of rural development and land reform. Issues related to this site have also been specifically raised in the context of the Kimberly 1 and Kimberly 2 summits between national Khoi and San leaders and top representatives of the South African government.

At a personal level, matters related to the searing histories of our people have been the subject of significant coverage in the print and electronic media where I have served at senior level in many local and international newsrooms. This also specifically includes my tenure as editor of both the Eland and the Eerste Nasie Nuus/News, which are the only fully-fledged newspapers ever to be published that were exclusively dedicated to the issues of recognition, restitution and restoration of South Africa's foundational peoples


**Breaking the cycle of invisibility**

A thoroughgoing assessment of what has occurred in these long, drawn out and disconcerting engagements with the principal players who are bound by international law and the South African Constitution to end the discrimination against the descendants of the Khoi and the San is that no one listened with intent and that not one of these entities cared to act definitively to break this cycle of abuse.

What emerges is a pattern of delay, of placing in abeyance that which must be resolved with urgency, and a complete lack of the political will required to break the logjam. Our view therefore is that rather than place our destiny in the



Figure 31 - Page 3-5 Gorinhaiqua letter (See Annexure 1)



hands of those who have no interest in our future or the future of the seven generations to come, for which we bear responsibility, we now, in our own interest, have elected to exercise our own agency.

As Steve Biko stated many years ago: "Blacks are tired of standing at the touch line, watching a game that they should be playing, blacks want to do things for themselves and by themselves."

For us, it is therefore appropriate to state here and now, that the Khoi and the San, particularly those in this Peninsula, whose forebears bore the most severe blows of colonial aggression, are refusing to hand over our destiny to others. To paraphrase Biko, in our context, we are saying the Khoi and San are tired of standing by the touchline watching a game that we should be playing.

It is with the knowledge of having been trivialised, silenced and bludgeoned into invisibility that we as the Gorinahaqua Cultural Council, have elected to directly engage the entity involved in the proposed River Club Development. What we have discovered in the process of this engagement, specifically with Mr Jody Aufrichtig, is that the developer has been open, empathetic and attenuated to our concerns, which were placed on the table in a frank exchange of views.

Through this process, two pertinent results of the discussions, over a long period of time, have persuaded us to take a position in support of this proposed River Club development.

The first is that we believe that the developer has grasped the intense pain that has been associated with the bludgeoning of our narrative. As such, this developer, unlike any other government, corporate, or social entities with which we have engaged, has made a firm commitment to ensure that the footprint of the Khoi and San's history of resistance, and its modern day resurgence is incorporated into the development plan.

Of the many commitments that the developer has made, a most significant commitment has been to allocate an area in the centre of this development, which is of great cultural significance to us, to be earmarked for the building of a World-First International Indigenous Media and Communication Centre.

In doing so, the developer, unlike any other government department, has honoured one of the central planks of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) which calls for indigenous peoples to have the capacity to record, report on, as well as print and broadcast matters and events of concern to them.



Figure 32 - Page 4-5 Gorinahaqua letter (See Annexure 1)



As a veteran journalist with more than 30-years experience in the local and international print and electronic media, this will be the realisation of the dream we have fought for throughout the resurgence, which is to tell our own story, to train our own people and to ensure that our voices find traction within the South African Nation and in the community of indigenous people around the world.

The second point that has swayed us to give our unambiguous support to the development proposal, is that both at the level of the ecology of the area - which the developer had committed to cleaning up and indigenising - and in terms of ensuring that the spiritual and cultural symbols of the Khoi and the San finds resonance within the proposed development plan.

We have arrived at this position after much consideration and consultation with many of the senior indigenous leaders and their councils in the Peninsula, as also with prominent national leaders of the Khoi and the San. Among these we can clearly cite Khoi elder statesman, K'bia Hennie van Wyk, chief of the Gorachoiqua tribal council; Chiefs John Jansen and Tania Kleinhans-Cedras of the Cochoqua; High Commissioner Aaron Messelaar, of the Griqua Royal council, and Chief Cecil le Fleur, chairman of the National Khoi and San council.

We are aware, without a doubt, that there will be detractors, including those who believe that indigenous people stand diametrically opposed to development and are best served by being relegated to an anthropoid fetishised state where they roam perpetually in antiquity without the tools to navigate the modern world.

Others, for their own reasons, will try to maintain the area as a golf course and the riverbanks as rustic, undeveloped spaces, where women and children can be attacked at will.

Our position is that they are entitled to their views, but we must emphasise that indigenous people are not the perpetual children that the colonist and colonial mentally would have us be. On the contrary, it is our view that such paternalistic notions must by themselves be put to the sword, because we, the ones who had been at the frontline of fighting for recognition, restitution and restoration, have elected to exercise agency in our own interest and our progeny.

Kei gan gans

  
Chief Gauru Zengile Khoisan  
(On behalf of the Gorinhaiqua Cultural Council)

Figure 33 - Page 5-5 Gorinhaiqua letter (See Annexure 1)





Date 8<sup>th</sup> November 2019

Heritage Western Cape  
Protea Building  
Greenmarket Square  
CAPE TOWN  
8001

**To Whom It May Concern**

IGaltses

I Kai Bi'a Hennie van Wyk, in my capacity as head of the Gorahouqua Tribal Council herewith place on record our endorsement of the letter by Chief IGaru Zenzile Khoisan of the Gorinhalqua Cultural Council in support of the River Club Development proposal, which will be located within the broader Two Rivers Urban Parkway corridor.

We agree with the position put forward by the Gorinhalqua Cultural Council that the decision in support of the development proposal follows a pathway of engagements with several spheres of government, Chapter 9 Institutions, State entities and the private sector.

Our support for the project does not come lightly, as the area under consideration for the proposed development is a most sensitive location both in terms of its ecology, as also its deep heritage significance.

We fully concur that this decision is a strategic act of Indigenous cultural agency to secure a legacy for those who suffered the indignity of dispossession and cultural genocide.

The fact is that we believe this is a wise decision,, through which we will all be able to both celebrate our history and heritage, including our history of resistance in major battles such as the war against Francisco D'Almeida in 1510 and the first Khol-Dutch war of 1659 - 1660, which were the first major acts of resistance against colonial aggression in our country.

Figure 34 - Page 1-2 Gorahouqua letter (See Annexure 2)



Together with the Gorinhalqua Cultural Council we have engaged government, chapter 9 institution and a range of other entities in our cause to get recognition, restitution and restoration for our people and we concur with Chief Zenzile that "our efforts in this regard have fallen on deaf ears, have been subjected to ridicule and, or bludgeoned with the arrogant silence of invisibility, which means being treated as never having spoken and not worthy of being heard."

We therefore fully support the decision of the Gorinhalqua Council to exercise agency and to directly engage the entity involved in the proposed River Club Development.

Through this process, two pertinent results of the discussions, over a long period of time, have persuaded us to take a position in support of this proposed River Club development.

We celebrate the fact that this engagement has been fruitful and that the developer has made a firm commitment to ensure that the footprint of the Khol and San's history of resistance, and its modern day resurgence, is incorporated into the development plan.

For us it is important that a significant commitment has been made that an area within the proposed development is to be earmarked for the building of an International Indigenous Media and Communication Centre.

This directly shows that the developer is conscious of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) which calls for indigenous peoples to have the capacity to record, report on, as well as print and broadcast matters and events of concern to them.

It is these types of engagements and outcomes which must be celebrated and emulated not only by government but also by the private sector, to ensure that justice triumphs, that the descendants of the first people are treated with respect and that the first peoples of this country are restored and recognized.

We therefore give our support and endorsement to this development proposal.

Kel gangans

**Kai bi'a Hennie Van Wyk**

Signature:  .....

Figure 35 - Page 2-2 Gorahouqua letter (See Annexure 2)

*"Ons is nie gekand teen die River Club ontwikkeling nie. Ons wil nie baklei nie. Ons is saam in die proses. Ons moet praat en adviseer"* (His Excellency, Aaron Messelaar, Griqua Royal House & Deputy Secretary General of the Congress of Traditional Leaders of South Africa (Contralesa).

The San, through the Traditional Royal House of N|ǀnǀe, under the leadership of Queen Katriena Esau, also indicated their support for the proposed development at the River Club (See Letter of Support - Annexure 3)



#### SECTION 4: INDIGENOUS ASPIRATIONS

This section articulates First Nation aspirations with regard to the River Club site.

*"We need a place where we as Indigenous people can meet.  
Where we can have intense dialogue and celebrations.  
Where we can describe local Indigenous groups and their history."*

*"A First Peoples Museum or Cultural Centre,  
South Africa's first specialist Museum dedicated to celebrating the rich heritage of the First  
Indigenous Peoples, the Khoi and San.  
It will specialise in the respectful and equitable curatorship and conservation of all the cultural  
and heritage symbols of the Khoi and San."*

*"Om te kan ervaar van kultuur op die erfenis gebiede"  
"Uitbeelding van die kunste"*

*"n plek waar die inheemse tale geleer kan word."*

*"Ek stem saam met dit, ek is tevrede met wat hy will doen,  
Dit sal goed wees as dit gebeur, dan bly alles hehoue,  
Daar waar die kinders kan leer, nie net kinders nie, maar mense kan leer die taal,  
"N|uu"<sup>10</sup>*

*"Plekke vir n samekoms,*

*Die eland is baie belangrik.  
Die eland is n heilige dier.*

*Die ystervark, hy is die apteek, hy dra binne sy maag, die medisyne.  
Die mis van sy maag is die medisyne,*

*Buchu en hoodia is belangrik. Dit is kos en water."*

*"We need a place where we can tell the story of the genocide of the San."*

*"We want to be able to bring about a space through which the descendants of those who  
suffered that abrogation can begin to speak into a bigger space."*

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<sup>10</sup> The "N|uu" language is considered one of the original language of Southern Africa, and a "critically endangered" language by the United Nations.





*Speak the Indigenous narrative.*

*A space from which we can broadcast.*

*A space where we will collate the documentary base, whether archival or contemporary.*

*A space for archiving of research and a distillation of that which can be broadly disseminated. A digital publications space, with sound and video gathering capabilities, from where we can build an online newspaper and other digital publications. So we can tell our story, and from where we can communicate with First Nations from other parts of the world."*

*An Indigenous media and communication centre will contribute to the First Nation's capacity to tell their own story."*

*"Part of the process of building a re-imagined River Club, is understanding indigeneity and Indigenous knowledge systems interwoven with Indigenous fauna and flora.*

*For the Khoi and the San critical to these are the plants of our ceremony.*

*For instance, the 'kooigoed', the plants of our 'reiniging,'plants we use for cleansing and plants that are part of our spiritual Khoi and San cosmology.*

*Those plants like buchu. There are a range of others: sour figs, buchu, 'always', lavender,*

*"Part of rebuilding a people, is educating them about the Indigenous knowledge and imbibing in them an inner understanding of the landscape, the environment.*

*So people can migrate back to their source, back to their roots,*

*This means bringing these roots on stream,*

*Cultivating a process of indigenizing,*

*Of explaining indigeneity, of living indigeneity.*

*It's creating an Indigenous universe in and around the spaces and places where we are articulating our story and building our narrative."*

## SECTION 5: INDIGENOUS IMPERATIVE

*"It can be an example of how we as a country will do everything to allow for our healing; it can be memorialized. It can be a beautiful sanctified space where the whole world can come and join us in the deep history of who we are"*

*Khoi and San First Nation Collective*

This section of the report provides the rationale for, and demonstrates how, the owners and custodians of the Indigenous narrative - the Khoi and the San - exercise agency that translates their narrative (of intangible cultural/living heritage) into an Indigenous *imperative*, that acknowledges, embraces, protects and celebrates Indigenous intangible cultural heritage of the First Nations.

This Indigenous imperative applies to all TRUP precincts.

In this instance, the Indigenous imperative speaks to the River Club site.

### **Indigenous Imperative Unpacked**

The Indigenous imperative comprises three linked elements; an aspiration (A), the rationale (B) and modus operandi (C).

1. The aspiration (A) articulates the wish of the Indigene/First Nation.
2. The rationale (B) explains the significance of the aspiration and what it means to the Indigene/First Nation.
3. The modus operandi (C) spells out how the aspiration can be accomplished.

### **Indigenous Imperative as a means to Spatial Justice**

First Nations exercised Indigenous agency by claiming the Indigenous narrative with regard to TRUP and all its constituent precincts. They then constituted and centered an Indigenous Imperative that converted the narrative into a coherently articulated, Indigene-defining set of practical aspirational interventions that serve as touchpoints to Indigenous actualization and spirituality, the ancestral domain, and the pre-colonial Indigenous landscape. In this way, the Indigenous Imperative is applied in a manner that reconnects the Indigenous identity to the TRUP and River Club landscape.

The application of the Indigenous Imperative provides the First Nations a means of achieving spatial justice in a contemporary urban context. In this instance, Indigenous spatial justice vis-à-vis the Two Rivers area.

## Reconnecting the Indigene, the land and the environment

### A - Aspiration

*"It's the collective aspiration and contention of the First Nations, that this remaining - fragmented - landscape, be authenticated as an Indigenous commemorative landscape with distributed spaces of engagement and Indigenous place-making, spanning different precincts..."*

The River Club, as a precinct of TRUP, is to be authenticated as an *"Indigenous commemorative landscape"* that has *"spaces of engagement and Indigenous place-making."*

### B - Rationale

Authentication involves reconnecting the Khoi and San to the River Club land through Indigenous usufruct that can take different forms.

This reconnecting with the land and Indigenous usufruct fills the "absence of being" experienced by the Khoi and San, and facilitates the *"reproduction of [their] intangible cultural legacies"* as manifested in the form of their Indigenous usufruct of the River Club site.

*"The intangible heritage of landscape use is embodied in vernacular practice [Khoi and San use of Indigenous plants], and it's through these practices that the landscape becomes relevant to the contemporary Indigenous [Khoi and San] communities."*

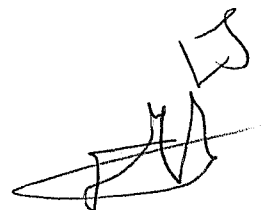
The cultivating and use of Indigenous plants would validate the living heritage of the First Nations and "activate" the River Club cultural landscape.

### C - Modus operandi

*"Part of the process of building a re-imagined River Club, is understanding indigeneity and Indigenous knowledge systems interwoven with Indigenous fauna and flora."*

*"For the Khoi and the San critical to these are the plants of our ceremony."*

*"Part of rebuilding a people, is educating them about the Indigenous knowledge and imbibing in them an inner understanding of the landscape, the environment."*



*For instance, the 'kooigoed', the plants of our 'reiniging,' plants we use for cleansing and plants that are part of our spiritual Khoi and San cosmology.*

*Those plants like buchu...sour figs, aloe, and lavender.*

*So people can migrate back to their source, back to their roots.*

*This means bringing these roots on stream.*

*Cultivating a process of indigenizing.*

*Of explaining indigeneity, of living indigeneity.*

*It's creating an Indigenous universe in, and around, the spaces and places where we are articulating our story and building our narrative."*

*"Buchu en hoodia is belangrik. Dit is kos en water."*

Indigenous plants that are used by the Khoi and San for medicinal, food, ritual and ceremonial purposes (Indigenous usufruct), can be planted in demarcated areas. These demarcated places could also be used to educate and raise awareness amongst both Indigenous communities and the general public.

The provision of Indigenous gardens, or places with Indigenous flora on the River Club site, is one way of Indigenous place-making.

The following pictures show San rock paintings depicting the presence of Indigenous plants in the cosmology of the Indigene and some common plants used for medicinal and ceremonial purposes by the Khoi and San.

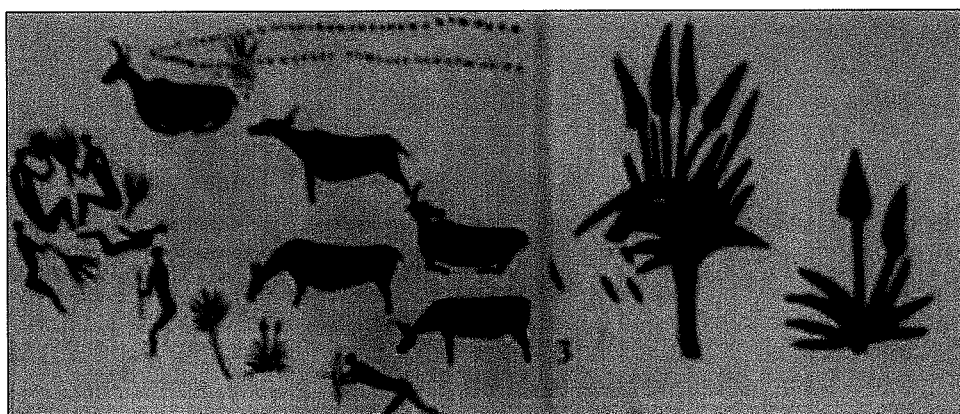


Figure 36 - San rock painting depicting aloe

*"Bitter aloe is one of the few recognizable plants found in San rock paintings. Early European travelers documented its medicinal use by the Khoekhoen [Khoi]." (Medicinal Plants Exhibition: DCAS 2019)*



Figures 37 & 38 - San rock art with Indigenous plants

(Medicinal Plants Exhibition: DCAS 2019)



Figure 39 - Buchu



Figure 40 - Wild Dagga

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Figure 41 - Kooigoed



Figure 42 - Cancer bush

### **Rooting a sense of place and Indigenous identity within the landscape**

#### *Creating Indigenous Community focal point in urban landscape*

##### *A - Aspiration*

*"We need a place where we as Indigenous people can meet.  
Where we can have intense dialogue and celebrations.  
Where we can describe local Indigenous groups and their history."*

*"Om te kan erleef van kultuur op die erfenis gebiede"  
"Uitbeeling van die kunste"*

*"n plek waar die inheemse tale geleer kan word."*

*"Ek stem saam met dit, ek is tevrede met wat hy will doen,  
Dit sal goed wees as dit gebeur, dan bly alles hehoue,  
Daar waar die kinders kan leer, nie net kinders nie, maar mense kan leer die taal,  
"N|uu"<sup>11</sup>  
"Plekke vir n samekoms,*

*"We need a place where we can tell the story of the genocide of the San."*

*"We want to be able to bring about a space through which the descendants of those  
who suffered that abrogation can begin to speak into a bigger space."*

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<sup>11</sup> The "N|uu" language is considered one of the original language of Southern Africa, and a "critically endangered" language by the United Nations.



*Speak the Indigenous narrative.*

*A space from which we can broadcast.*

*A space where we will collate the documentary base, whether archival or contemporary.*

*A space for archiving of research and a distillation of that which can be broadly disseminated. A digital publications space, with sound and video gathering capabilities, from where we can build an online newspaper and other digital publications. So we can tell our story, and from where we can communicate with First Nations from other parts of the world."*

*An Indigenous media and communication centre will contribute to the First Nation's capacity to tell their own story."*

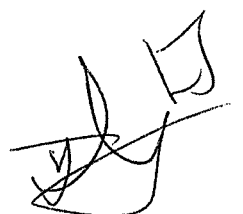
#### *B - Rationale*

A First Nations Cultural, Heritage and Media Centre (FNCHMC) would not just be an amenity facility, it would serve as a cultural hub "*whose identity, presence and purpose embody the essence of the Indigenous community,*" and would "*perform the role of community focal point, and provide a medium for bringing people together and rooting a sense of place and identity within the landscape.*" This will be accomplished through various First Nation cultural practices, heritage activities, media and communications initiatives, and awareness and educational programmes that would be offered at, and through the centre.

A First Nations Cultural, Heritage and Media Centre would facilitate the empowerment of the Khoi and San by providing a base and enabling institutional infrastructure (media and communications, and meeting and educational places) from which the planning, implementation and management of the Indigenous Imperative on the River Club and the rest of TRUP can be organized.

#### *C - Modus operandi*

A First Nations Cultural, Heritage and Media Centre can be established at a spatially and symbolically strategic location on the River Club site.



The Centre would comprise the following:

Cultural component: To be actuated through a place where First Nations can meet and have dialogue, where local Indigenous groups can describe and

celebrate their history, display Indigenous art and teach Indigenous languages. A key objective of this component is to revitalize, preserve and promote First Nation languages and living heritage.

Heritage component: To celebrate Khoi and San heritage, curate and conservation of cultural and heritage symbols of Khoi and San, illuminate Indigenous pre- and proto-history, tell the stories of the D' Almeida incident, pre-colonial genocide of the San, Grilagem (colonial land grab with associated decimation of Indigene), First Frontier, the first Khoi-Dutch, Aushumao, Doman and Krotoa.

These stories connect past and present places, show how the landscape was created through generations of experiences and encounters, and how the Khoi and San *"understand the land in relation to specific events and historical conditions that provide the context for cultural comprehension...In this way, the [River Club] landscape represents a collection of experiences that cohesively binds the First Nations to the land, and to each other."*

A key project of the heritage component will be the establishment of an online platform for the identification, inventorying and safeguarding of Khoi and San intangible cultural heritage (ICH). The platform will also facilitate the exchange of know-how and expertise on Indigenous ICH. It will be a knowledge hub for all Khoi and San communities and Councils, tradition bearers and knowledge keepers, organizations and experts involved in ICH of the Khoi and San. A key objective of this initiative is to strengthen Khoi and San communities through safeguarding their ICH.

Media component: To give effect to Article 16.1 of The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which established Indigenous voice as a right: *"Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-Indigenous media without discrimination."*

First Nations narrowcasting and media will provide a voice for Khoi and San communities and will promote cultural awareness, pride, and education. It will also keep Indigenous culture alive and preserve it for future generations.





Content will include Indigenous information, education, news and current affairs, documentaries and oral histories, interviews, music, community events, messaging and Indigenous stories.

An electronic newsletter, a monthly e-News bulletin, weekly website updates, reports on current events, daily social media posts, and podcasts will be developed.

This will enable First Nations to help keep Khoi and San culture alive by creating culturally rich environments and by recording, preserving and digitally disseminating the Indigenous culture in a targeted way.

Indigenous media and narrowcasting will also enhance Indigenous cohesion amongst the different First Nation groups and build Indigenous community resilience.

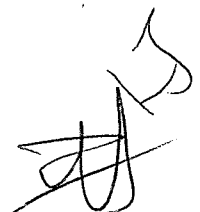
A digital platform to share media will be established. It will be a means of connecting stories, language and culture. The platform will also be an *"online communications resource for First Nations organisations and individuals, providing an appropriate portal for media producers to distribute and access content in a connected digital economy."*

An ongoing focus will be the digitization of media archives.

The media component to include an electronic publishing and video production unit who will, amongst other things, develop educational First Nations resources in digital and video format. Its focus to be digital publication of educational material rich in Indigenous content with particular attention given to First Nation intangible cultural heritage, histories and Indigenous languages.

Potential products to be produced by this unit, are digital Indigenous story books, posters, textbooks, manuals and multimedia projects. A key project of the media component will be the compilation of an electronic Indigenous language thesaurus and dictionary.

The following logic model shows how a properly constituted Indigenous Cultural, Heritage and Media Centre, can lead to stronger Indigenous communities and the strengthening of Khoi and San culture.



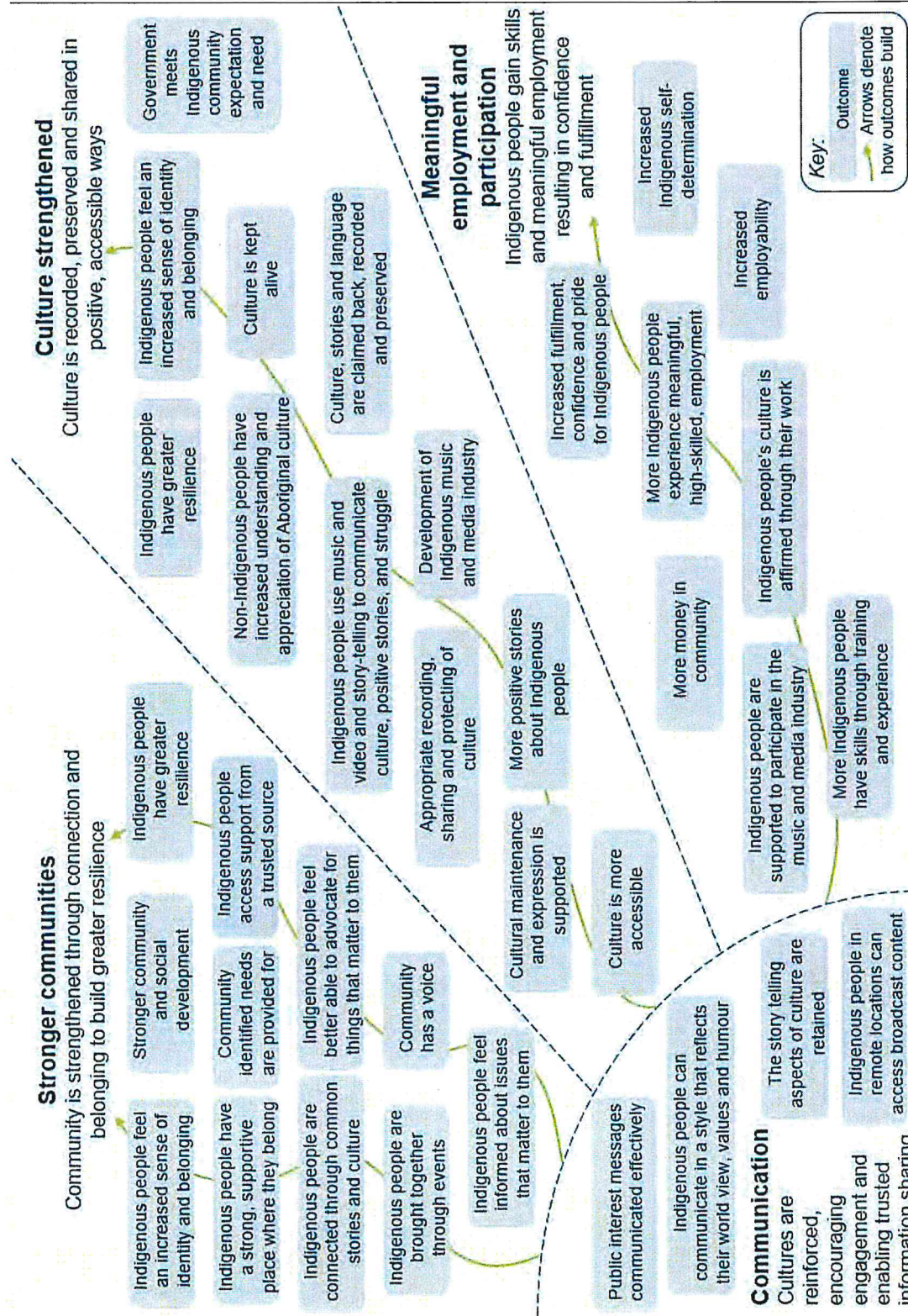


Figure 43 - (SVA 2017)

### Analysis

The input and determination - based on oral tradition and praxis - of the First Nation knowledge bearers and traditional custodians, that the River Club site does not contain "*sacred burial grounds*," and borne out by historical assessment and available archeological determination, there is a strong unlikelihood that Indigenous narrative-defining events or occurrences, or heritage artifacts, are to be found on the River Club site, a fractional portion (15-hectare) of a much larger 300-hectare TRUP landscape. Where oral tradition and historic record suggest is a greater likelihood of the occurrence of narrative-defining events and heritage artifacts.

Based on the above, the First Nations' exercising Indigenous agency through the Indigenous Imperative vis-à-vis the River Club, is a considered move, based on a pragmatic assessment of the TRUP contextual environment, to gain a strategic foothold on the TRUP landscape, from which the Indigenous Imperative can be deployed and activated on the rest of the TRUP precincts.

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## SECTION 6: PRECEDENTS

This section of the report looks at global<sup>12</sup> precedents that deal with Indigenous architecture and design, and how the Indigenous narrative and intangible cultural heritage of First Nations have been incorporated into developments and landscapes.

Precedents were analyzed through book reviews, examination of conferences and exhibitions, and project and development appraisals.

### *Our Voices - Indigeneity and Architecture*

Kiddle, R., Stewart, L.P. & O'Brien, K. (ORO eds) 2018.

This edition looks at Indigenous voice and architecture through multiple Indigenous perspectives on architecture and design theory and practice. Indigenous practitioners, informants and authors from Australia, Aotearoa<sup>13</sup> New Zealand, Canada, and the USA, explore the making and keeping of places and spaces informed by Indigenous values and identities.

The golden thread emanating from these diverse Indigenous perspectives is that the frame of reference that roots the architecture and design in its site context, must be the local Indigenous narrative.

### *The Handbook of Contemporary Indigenous Architecture*

Editors: Grant, E., Greenop, K., Refiti, A., Glenn, D. (Eds.) 2018. Singapore: Springer.

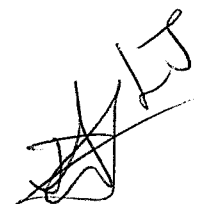
This handbook provides a comprehensive overview of significant contemporary Indigenous architecture and design, practice, and discourse, showcasing established and emerging Indigenous authors and practitioners from Australia, Aotearoa New Zealand, Canada, the Pacific Islands, USA and other countries.

Topics include: Indigenous place-making, identity, cultural regeneration and Indigenous knowledge. Topics are dealt with through regional overviews, case studies and discourse analysis on: the nature of Indigenous architecture, Indigenous agency in architecture, Indigenous traditional knowledge, inter-cultural design, living heritage and the shaping and re-shaping of the built environment; place, people and architecture. And Indigenous place-making and climatically responsive design.

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<sup>12</sup> A survey of local and national contexts could not find any South African precedent where Indigenous intangible cultural heritage have been incorporated into the design and development of a site. 'Voices from the Forest' by T,Dold and M,Cox (Jacana: 2012), explores the relationship between the environment and the cultural and spiritual landscapes of the Xhosa people in the Eastern Cape, but is limited to pointers to innovative sustainable practice and the potential this holds for biodiversity conservation.

<sup>13</sup> Aotearoa is the Māori name for New Zealand.



This handbook provides precedents of how Indigenous people have translated their cultures into a built environment.

*Royal Architectural Institute of Canada (RAIC) International Indigenous Architecture and Design Symposium. Ottawa: 2017.*

The symposium hosted 160 Indigenous architects, designers, and other professionals working in Indigenous contexts.

Sessions dealt with case-studies from New Zealand, respecting the land and identity, creating consensus and engagement, and Indigenous design: tools, methods and processes.

Overarching themes that emerged were:

- "Architecture has an important role in giving agency back to Indigenous people to reclaim their heritage, reconnect with their learnings and traditions, and express their culture and aspirations.
- Architecture is a powerful means to imprint on the urban, rural and Northern landscapes the thousands of years of knowledge and presence of Indigenous peoples.
- The design process in Indigenous architecture and community planning is fundamental where Elders, community, architects, and designers together create a common vision.
- Indigenous values of culture, connection, community, respect, reciprocity, harmony with the natural world and environmental sustainability are at the heart of the process and the design.
- These designs resonate and contribute positively to healing, cultural transmission, and reconciliation when they are rooted in Indigenous teachings and cultures, values, themes, symbolism, form, and natural materials.
- Indigenous architecture is an international movement, providing mutual learning, support, and effective practices, such as the Maori Responsiveness Design Principles for decision-making on design, planning, procurement, and service delivery adopted by Auckland, New Zealand.
- Through education and practice, Indigenous architecture offers a regenerative voice and new solutions to challenge and amend the colonial worldview that dominates the architecture and community design landscape." (RAIC:2017)



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Figures 44 and 45 show building form as a metaphor for traditional knowledge, where the elders guide the treatment of traditional icons and symbols that are embedded in the building to ensure authenticity and realism. In this way Indigenous knowledge, stories and engagement with First Nations grounded the building in the landscape.



Figure 44 - Traditional icons and symbols that are embedded in the building

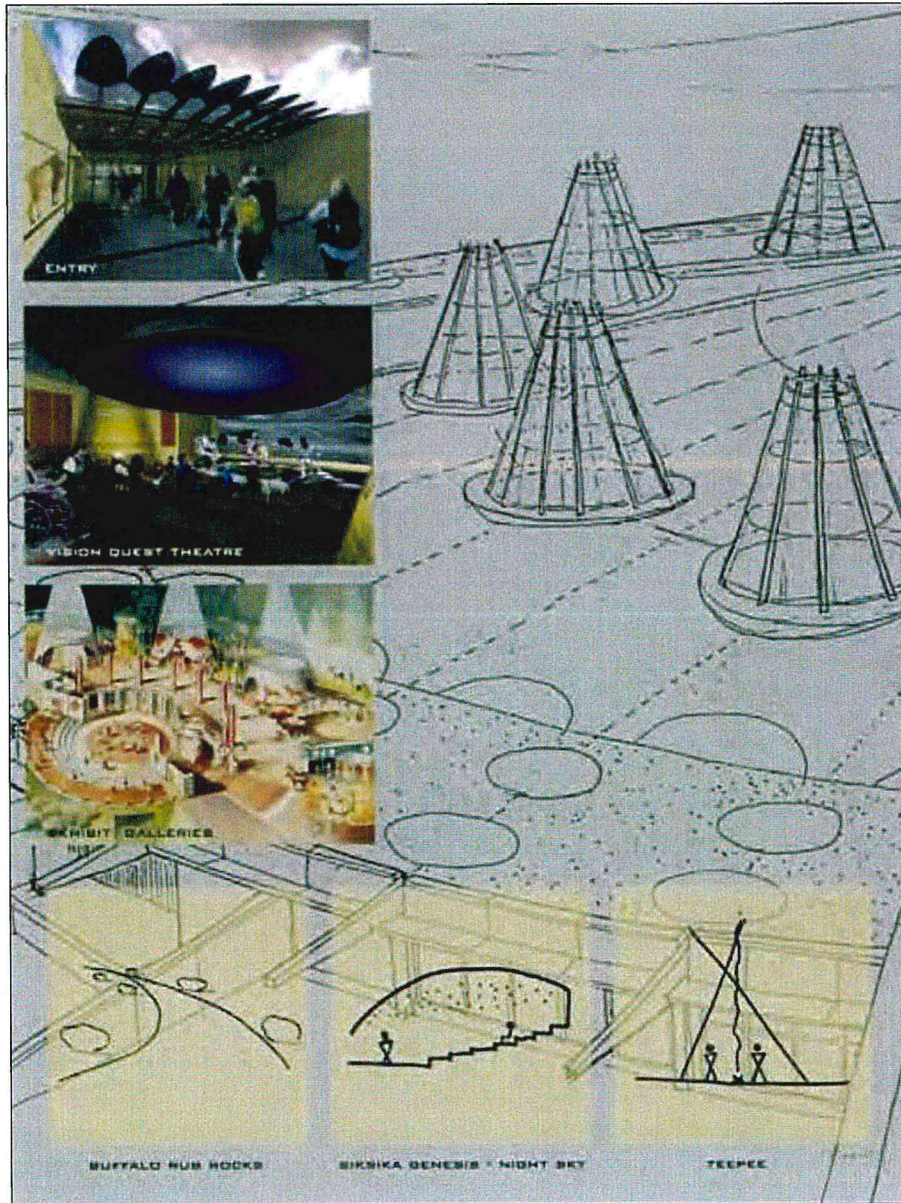


Figure 45 - Building form as metaphor for traditional knowledge

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*UNCEDED - Voices of the Land*  
Canada's Official Entry to the 2018 Venice Architecture Biennale



Figure 46: UNCEDED - Voices of the Land exhibition at the 2018 Venice Architecture Biennale

*"The UNCEDED exhibition is a showcase of the tools, methods and world-views that allow these incredible architects to shape our built environment in ways that foster loving and caring for the Earth and all people. UNCEDED presents the combination of Indigenous teachings, cutting-edge technology, and the paradigm-shifting architecture of contemporary Indigenous people."*

*"The Indigenous people of Turtle Island (Canada/USA) have a great contribution to make to the world. We believe in living with balance and harmony with our natural environment. We had a symbiotic relationship with the land, the waters, the plants, the fish, the birds, and the animals. We saw ourselves as an intrinsic part of the beautiful creation around us, because we honored and respected their mothers, who were an extension of the life-giving power of mother earth itself. We believe in a culture of loving and caring, and respect for each individual and all life around us."*

*Douglas Cardinal*





UNCEDED celebrated Indigenous architecture and featured the innovative design talent of 18 Indigenous architects and designers whose work epitomized Indigenous architecture as *"a way of thinking and a practice guided by ancient principles and knowledge rooted deep in Turtle Island."*

Indigenous architecture and design principles, derived from the precedents of UNCEDED, are:

- "the architect's intentions are guided by the wisdom of the Elders;
- their conduct of self and to others is done in a good way;
- their effort is always in the service of others;
- their design decisions must be respectful of community traditions and protocols;
- their architecture aligns itself with natural forces and accepts the gifts that Mother Earth and her surroundings have to offer; and
- their architectural forms are inspired by the spirit of nature."

(UNCEDED: 2018 <https://www.unceded.ca/>)

#### **Lessons learnt from precedent case studies<sup>14</sup>**

- Designs resonate and contribute positively to healing, cultural learning and transmission.
- Designs instill sense of belonging and pride.
- Designs are responsive to cultural needs.

#### **Heritage Informants**

Indigenous heritage Informants can manifest through the following:

##### **Architectural Design Features**

- Ancestral/Indigenous building forms and symbolism
- Traditional materials
- Anchored to nature and seasons - siting, orientation, natural light, and cardinal directions.
- Energy efficiency and conservation - insulation, natural heating, cooling, and air circulation.

##### **Landscape architecture**

- Informed by Indigenous fauna and flora
- Storytelling places

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<sup>14</sup> Refer to Annexure 4 for Precedent Case Studies



### **Interior Design Spaces**

- Interior spaces anchored in cultural references, shapes and materials
- Carefully designed to facilitate how the space would be used
- Commissioned art and artist's installations
- Historical and contemporary artifacts and spaces to convey culture and facilitate traditional practices and teachings.

Three step formula for creating Indigenous places

### **Connect with Historic Indigenous + Contemporary References**

- Start with natural and cultural materials
- Combine with Indigenous plants (Indigenous fynbos)
- Reference traditional structures (Matjieshuis)
- Add space for gathering, ceremony, storytelling and imbibing Indigenous culture

### **Infuse with Indigenous Art + Graphics**

- Identify and understand Indigenous symbols and icons
- Develop Indigenous storyboard
- Tell Indigenous stories through symbolic art and imagery (San rock art)
- Enliven landscape and built form with Indigenous graphics

### **Incorporate Indigenous Eco-philosophy**

- Articulate First Nation existential connection to the land as foundation for Indigenous eco-philosophy
- Unpack Indigenous eco-philosophy in terms of living (plants and animals) and non-living (air, soil, water) elements of the natural environment
- Apply First Nation philosophy of sustainability and respecting the environment in planning and design



## SECTION 7: IMPLEMENTING THE INDIGENOUS IMPERATIVE

The Indigenous Imperative, articulating First Nation aspirations, if implemented at the River Club, can transform the site from a culturally barren golf course, to an Indigenous cultural landscape where the Indigene finds ensoulment and reconnecting with Indigenous identity, through usufruct of the land. As they live their heritage.

### *A priori landscape*

The Indigenous landscape can be conceived as a processual sequence of indoor and outdoor spaces, throughout which materiality and craft are considered. Where each building and location is also rooted in the precolonial landscape by means of strands of the Indigenous narrative that are presented through design.

Landscape surfaces can be used for telling stories through thematic metaphors - indigeneity, custodial ownership, colonialism, resistance, resilience, and sovereignty and suzerainty.

Landscape becomes a register of hope and pride for First Nations.

In his way Indigenous intangible culture and heritage manifest in the landscape.

### *Social Compact*

Concurrent to the study, the First Nations Collective engaged the developer in terms of applying the Indigenous Imperative at the River Club site.

The outcome of these engagements, as communicated via the First Nations collective, was a social compact between the First Nations and the developer, that comprises indigenizing the site through the following place-making mechanisms:

1. Establishing an Indigenous Garden for medicinal plants used by the First Nations;
2. Establishing a Cultural, Heritage and Media centre at the location of the Heritage information hub;
3. Establishing a Heritage-Eco trail that goes around the site;
4. An Amphitheater for use and cultural performances by both the First Nations and the general public.
5. Commemorating the history of the First Nations in the area, by:



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- a. Establishing a Gateway Feature inspired by symbols central to the First Nations narrative at the road crossing the eco-corridor; and
- b. Incorporating symbols central to the First Nations narrative in detailed design of buildings (e.g. pillars / supports, facades, building names, etc.); and
- c. Naming internal roads inspired by people or symbols central to the First Nations narrative.

#### *Operationalizing the Social Compact*

The First Nations Collective led by the Gorinhaiqua Cultural Council, in discharging its traditional duty of custody over not only the River Club site, but all of the precincts of the Two Rivers area; and in exercising its internationally recognized right of Indigenous cultural agency, is in the process of establishing a legal entity that will be responsible for the post-establishment governance, planning, management, operations, maintenance and sustainability of the aforementioned Indigenous place making mechanisms.

This entity will be a fully autonomous Indigenous entity, whose Indigenous access and negotiated rights as, articulated above as the elements of the First Nations Imperative, will be enshrined in a formal agreement between the envisaged First Nations legal entity led by the Gorinhaiqua Cultural Council, and the Community Property Association of the development.

#### *Envisaged Indigenised River Club Cultural Landscape*

The envisaged indigenised River Club cultural landscape, agreed by the First Nations Collective, are reflected in the following images.

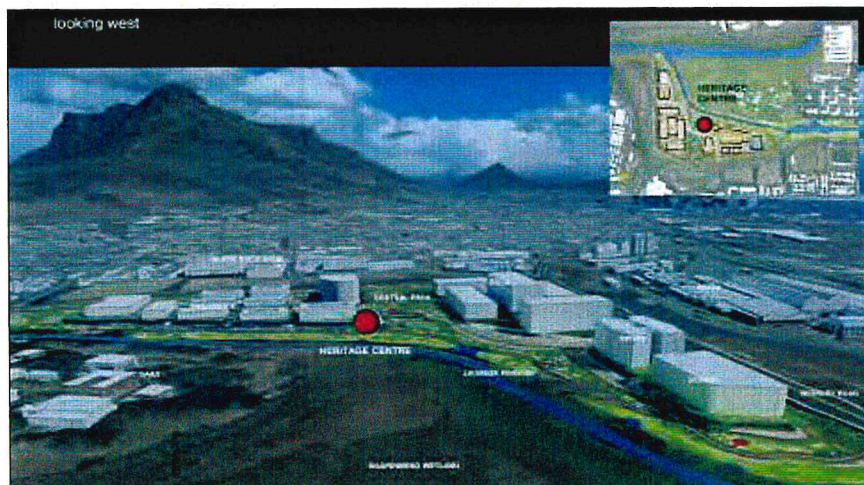


Figure 47 - The First Nations Culture, Heritage and Media Centre spatially and symbolically at the centre of the site.

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The following pictures show how the Indigenous narrative of the Eland, as a critical figure in Khoi and San cosmology, is used as informant for the architecture of the First Nations Culture, Heritage and Media Centre in the foreground.



Figure 48 - First Nations Culture, Heritage and Media Centre

(Source: Vivid Architects)



Figure 49 - Eland-horn inspired architectural features.

(Source: Vivid Architects)



Figure 50 - Close-up of Eland-horn inspired architectural features.

(Source: Vivid Architects)



Figure 51 - View across the eco-corridor.

(Source: Vivid Architects)

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**Figure 52 - Eland Horns Eco Corridor Gateway feature at the centre of the site**

The eland horns - the eland being a cross-cutting power animal of all First Nation groups - is an iconic feature authenticating the River Club site as an Indigenous cultural landscape.



(Source: Vivid Architects)

**Figure 53 - The Eland Horns Eco Corridor Gateway feature is one of many elements of Indigenous place-making found throughout the site.**

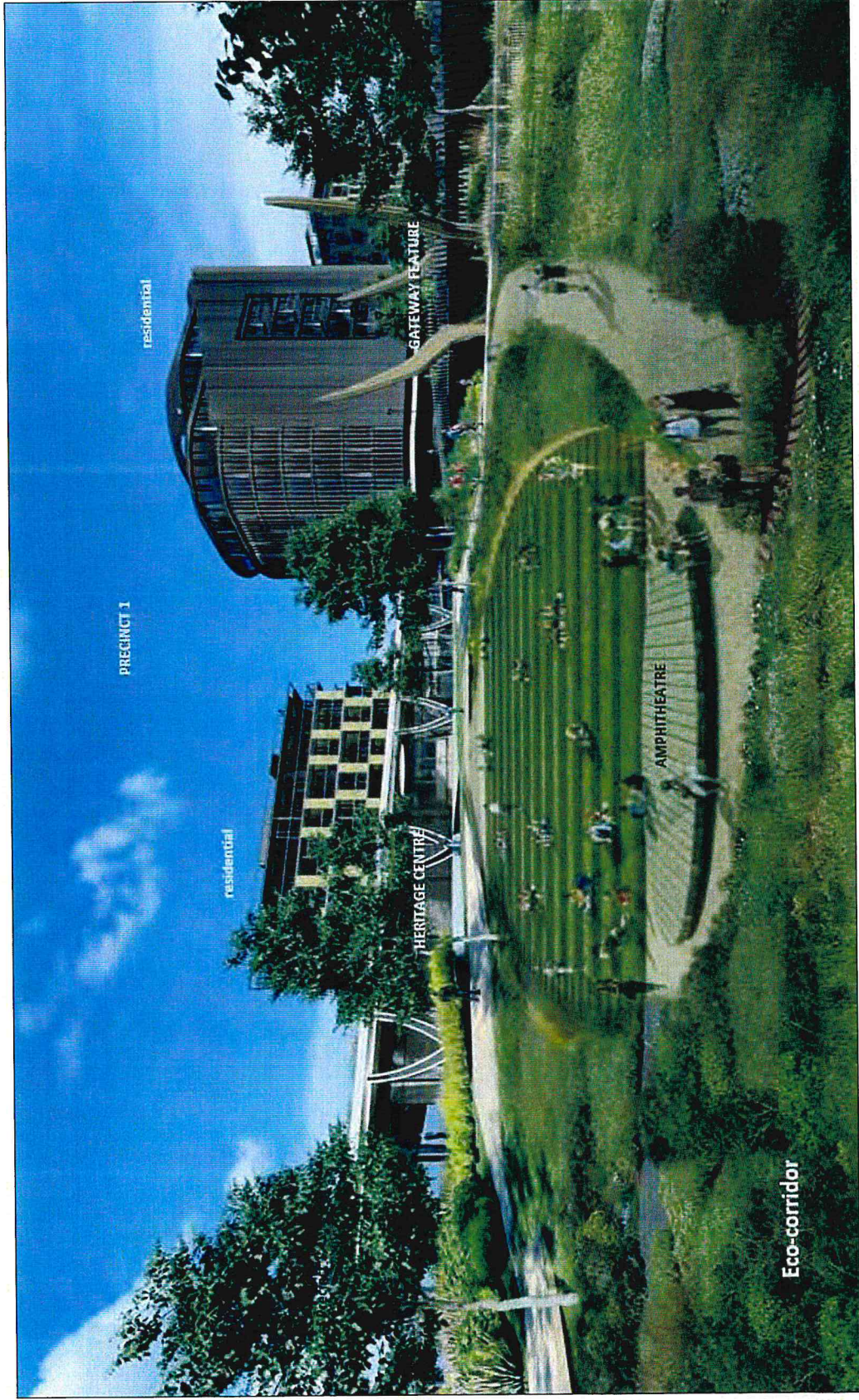
(Source: Vivid Architects)



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Figure 54 - Heritage Centre Amphitheatre

(Source: Vivid Architects)

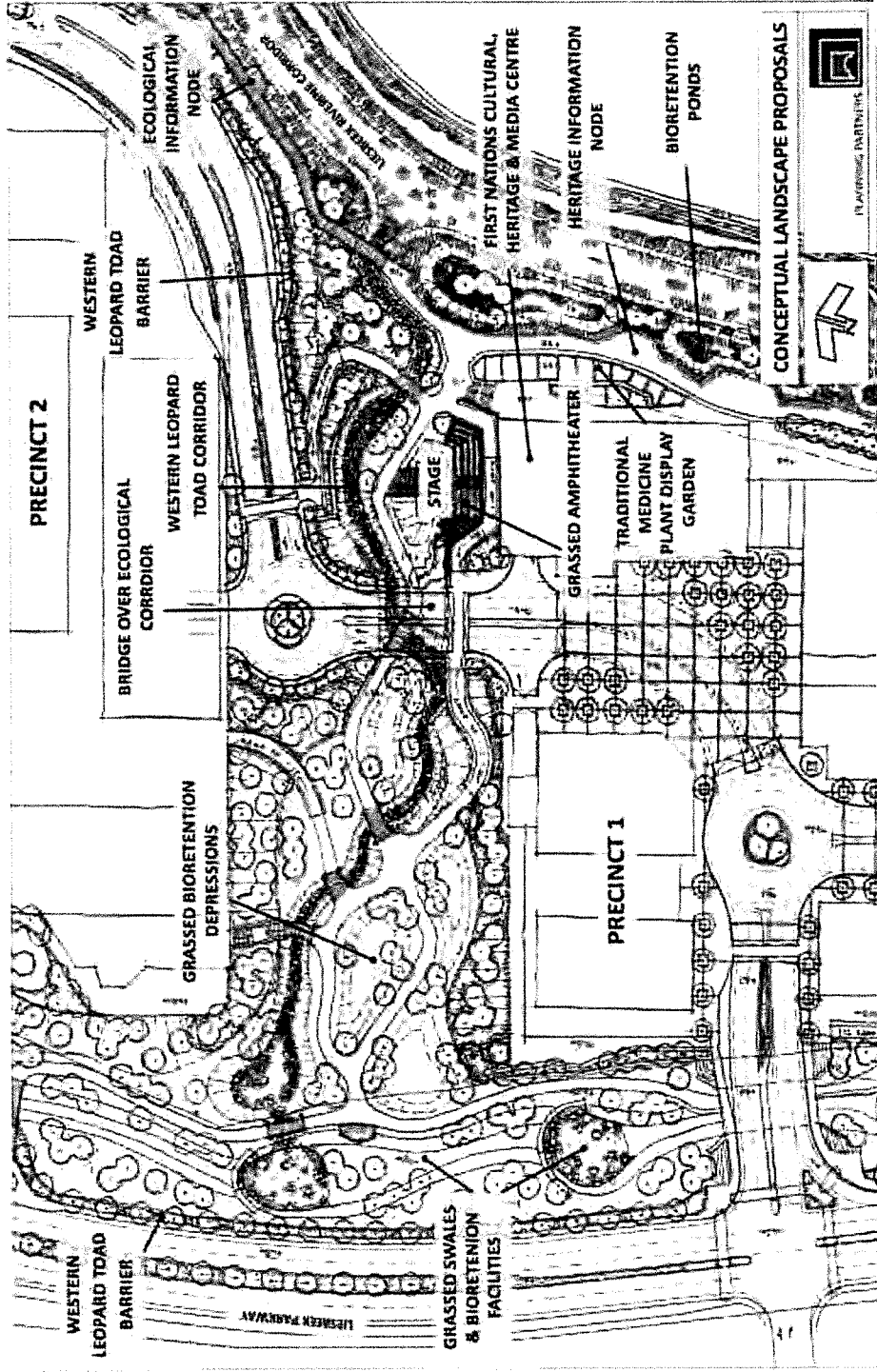


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Figure 55 - Concept Landscape Plan

Includes indicative location of the amphitheatre/stage in the eco corridor, traditional medicine plant display garden and First Nations cultural, heritage and media centre.



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Figure 56 - Indigenous Heritage and Eco Trail



## SECTION 8: CONCLUSIONS AND RECOMMENDATION

### Conclusion

The report concludes the following:

#### *Deconstructing the TRUP Cultural Landscape*

- The Gorinhaiqua Indigenous group, today represented by the Gorinhaiqua Cultural Council, were the traditional custodians of the historic landscape that encompasses the River Club site and the broader Two Rivers area.
- The Goringhaicona, today represented by the Goringhaicona Khoi Khoin Indigenous Traditional Council, "*were made up of drifters and outcasts*" and "*were neither a tribe nor a clan but a totally new creation.*"
- Each of the precincts and sites of TRUP, by virtue of being part of the larger Indigenous cultural landscape, has a measure of Indigenous cultural heritage, and because of this, determining and apportioning the Indigenous heritage value, or cultural capital, of each precinct and site becomes paramount. This is particularly important, given that, at 15 hectares, the River Club site is a small part (5%) of a much larger TRUP cultural landscape that extends to approximately 300 hectares.
- Determining the River Club's share of the Indigenous Heritage Premium of TRUP can be determined by assigning Indigenous cultural capital to the site. This takes place through ascertaining and attributing, site-specific and cross-cutting tangible and intangible cultural elements to the site.
- Whilst the River Club is part of the broader landscape, it is highly unlikely that the Battle of Gorinhaiqua / Defeat of D' Almeida occurred on the River Club site.
- Whilst the River Club is part of the broader landscape, in terms of resistance to 'grilagem,' (dispossession of land, and Indigenous displacement) no specific act of resistance, battle or encounter, whether tangibly manifested or intangibly articulated, have been attributed specifically to the River Club site.
- There is a strong unlikelihood of there being any Indigenous burial sites on the River Club site.
- There is a strong unlikelihood that the River Club site was part of, or contained, a pre-colonial river crossing.

- The river is a significant memory holder and tells the Indigenous stories linked to the landscape.

#### *Indigenous Narrative and First Nation Agency*

- The 'Owners of the Indigenous Narrative' and the 'Voice of the First Nations' with regard to the Two Rivers area and the River Club site, is the First Nations Collective under the leadership of the Gorin Haiqua Cultural Council.
- First Nations support for the River Club development is a strategic act of Indigenous cultural agency.

#### *Indigenous Aspirations*

- First Nations need a place where they can gather and reconnect with the Indigenous cultural landscape.
- The key to building a re-imagined River Club, is understanding indigeneity.

#### *Indigenous Imperative*

- Entails reconnecting the First Nations to the land and the environment.
- There's a need to root a sense of place and Indigenous identity within the landscape.

#### *Precedents*

- There are many global present case studies of how the Indigenous narrative and intangible cultural heritage of First Nations have been incorporated into developments and landscapes.
- Designs resonate and contribute positively to healing, cultural learning and transmission; instill a sense of belonging and pride, and are responsive to cultural needs.
- Indigenous heritage informants can manifest through architectural design features, landscape architecture and interior design spaces.



*Implementing the Indigenous Imperative*

The First Nations Collective concluded a social compact with the developer in terms of applying the Indigenous Imperative at the River Club site.

This includes:

1. Establishing an Indigenous Garden for medicinal plants used by the First Nations;
2. Establishing a Cultural, Heritage and Media centre at the location of the Heritage information hub;
3. Establishing a Heritage-Eco trail that goes around the site;
4. An Amphitheater for use and cultural performances by both the First Nations and the general public.
5. Commemorating the history of the First Nations in the area, by:
  - a. Establishing a Gateway Feature inspired by symbols central to the First Nations narrative at the road crossing the eco-corridor; and
  - b. Incorporating symbols central to the First Nations narrative in detailed design of buildings (e.g. pillars / supports, facades, building names, etc.); and
  - c. Naming internal roads inspired by people or symbols central to the First Nations narrative.

The First Nations Collective, led by the Gorinaiqua Cultural Council, will establish a legal entity that will be responsible for the post-establishment governance, planning, management, operations, maintenance and sustainability of the Indigenous Imperative at the River Club.

The First Nations own the Indigenous Narrative and exercise Indigenous agency though seeking to implement their aspirations in the form of an Indigenous Imperative.

First Nations claim the prerogative over how Indigenous heritage should be acknowledged, protected and celebrated at the River Club site.

**Recommendation**

Based on the studies and findings in this report it is recommended, given the unprecedented opportunity for:

- a. The First Nations to be reconnected with their historic landscape;
- b. The hidden history of the Khoi and San to be made visible;
- c. The cultural empowerment of the First Nations;
- d. Implementing the Indigenous Imperative;
- e. The intangible cultural heritage of the First Nations, expressed via the Indigenous Narrative, to be acknowledged, protected and celebrated;

That the implementation of the social compact between the First Nations and the developer be made a condition attached to the approval of the development proposal.

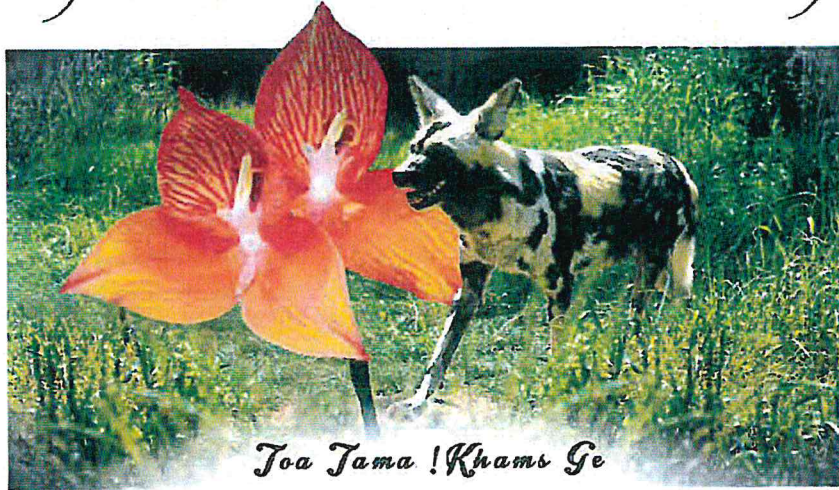
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# GORINHAQUA CULTURAL COUNCIL



Heritage Western Cape  
Protea Building  
Greenmarket Square  
CAPE TOWN  
8001

7 November 2019

## To Whom It May Concern

!Gai tses

I herewith place on record the support of the Gorinhaiqua Cultural Council for the River Club Development proposal, which will be located within the broader Two Rivers Urban Parkway corridor.

Our support, as a custodial Khoi Indigenous Council, follows a pathway of engagements with several spheres of government, Chapter 9 Institutions, State entities and the private sector.

Our support for the project does not come lightly, as the area under consideration for the proposed development is a most sensitive location both in terms of its ecology, as also its deep heritage significance.

Our support for this project has been extensively pondered and is primarily a strategic act of indigenous cultural agency where we, as an integral part of the Khoi and San resurgence, act in our own interest to secure a legacy for us and for seven generations into the future for which we are responsible.



As a cultural council it is without any doubt a most critical factor that the proposed development is located within an area which indisputably is part of the terrible history of our land, which caused the foundational peoples of that area to be put to the sword, dispossessed of their historical land, dispersed into the margins and subjected to a cultural and social genocide.

This is the corridor that represents the pathway of the assault of 28 February 1510, when the Portuguese militarist, Francisco D'Almeida, sent his troops inland to steal livestock and abduct woman and children from our indigenous settlement, located close to the proposed development area. Consequently, this resulted in one of the most successful anti-colonial battles in Africa, known as the Battle of Gorinhaiqau, in which D'Almeida and a large contingent of his forces died on the shores, close to the estuary of the confluence of the Black and Liesbeek Rivers.

The proposed development area is also most sensitive because it falls within the framework of a Heren XVII letter of authorisation of 1656, granting the governor of the then Fort, the right to usurp the lands of the Peninsular Khoi for the benefit of the colonists who were co-travelers of Jan van Riebeeck.

Needless to say, this act of aggression against the foundational indigenous peoples sparked the First Khoi-Dutch War of 1659-1660.

There are numerous other points of historical significance, but it suffices as reference here to note that it was the dispossession wrought on the Khoi peoples who historically were the custodians of this place that was once paradise, which is only now, 25 years into democracy, grudgingly recognized.

The significance of this area and the adjoining Oude Molen site, is that it has been the subject of intense engagement between ourselves and numerous senior state officials, including but not limited, to Premiers of the Western Cape government, Provincial Ministers of several Western Cape government administrations, Mayors of the City of Cape Town, the Chief Land Claims commissioners, several ministers of the National government and even the apex of governance, namely the Presidency.

We have also engaged several entities of the State in connection with this broad area and have been relentless in our efforts to bring cognition of our excised narrative within the ambit of our national culture, political, social and economic narrative.



All our efforts in this regard have fallen on deaf ears, have been subjected to ridicule and, or bludgeoned with the arrogant silence of invisibility, which means being treated as never having spoken and not worthy of being heard.

It is this very phenomenon of always being trivialized, never being acknowledged and always having to contest the distortion, lies, obfuscations and the extremely disturbing fact that our narratives have been excised from the national story, our claims to recognition, restitution and restoration being relegated to the back burner and our essence as the descendants of the foundational peoples of this land being ransacked by mercenaries of all stripes that has caused us to draw a line in the sand.

This line in the sand we have drawn follows a very clear and signposted pathway, which includes sentinel events in which we have played a very definite role, including the National KhoiSan Consultative Conference in Oudtshoorn (April 2001) the World Conference Against Racism in Durban (September 2001), and, pertinently, more than two decades of engagements, meetings and workshops with the departments of cooperative government and traditional affairs, the department of Arts and Culture, the Department of Justice and the department of rural development and land reform. Issues related to this site have also been specifically raised in the context of the Kimberly 1 and Kimberley 2 summits between national Khoi and San leaders and top representatives of the South African government.

At a personal level, matters related to the searing histories of our people have been the subject of significant coverage in the print and electronic media where I have served at senior level in many local and international newsrooms. This also specifically includes my tenure as editor of both the Eland and the Eerste Nasie Nuus/News, which are the only fully-fledged newspapers ever to be published that were exclusively dedicated to the issues of recognition, restitution and restoration of South Africa's foundational peoples

### **Breaking the cycle of invisibility**

A thoroughgoing assessment of what has occurred in these long, drawn out and disconcerting engagements with the principal players who are bound by international law and the South African Constitution to end the discrimination against the descendants of the Khoi and the San is that no one listened with intent and that not one of these entities cared to act definitively to break this cycle of abuse.

What emerges is a pattern of delay, of placing in abeyance that which must be resolved with urgency, and a complete lack of the political will required to break the logjam. Our view therefore is that rather than place our destiny in the

hands of those who have no interest in our future or the future of the seven generations to come, for which we bear responsibility, we now, in our own interest, have elected to exercise our own agency.

As Steve Biko stated many years ago: “Blacks are tired of standing at the touch line, watching a game that they should be playing, blacks want to do things for themselves and by themselves.”

For us, it is therefore appropriate to state here and now, that the Khoi and the San, particularly those in this Peninsula, whose forebears bore the most severe blows of colonial aggression, are refusing to hand over our destiny to others. To paraphrase Biko, in our context, we are saying the Khoi and San are tired of standing by the touchline watching a game that we should be playing.

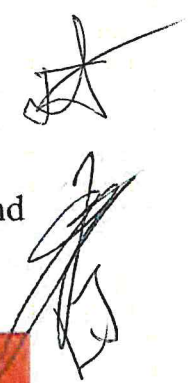
It is with the knowledge of having been trivialised, silenced and bludgeoned into invisibility that we as the Gorinhaqua Cultural Council, have elected to directly engage the entity involved in the proposed River Club Development. What we have discovered in the process of this engagement, specifically with Mr Jody Aufrichtig, is that the developer has been open, empathetic and attenuated to our concerns, which were placed on the table in a frank exchange of views.

Through this process, two pertinent results of the discussions, over a long period of time, have persuaded us to take a position in support of this proposed River Club development.

The first is that we believe that the developer has grasped the intense pain that has been associated with the bludgeoning of our narrative. As such, this developer, unlike any other government, corporate, or social entities with which we have engaged, has made a firm commitment to ensure that the footprint of the Khoi and San’s history of resistance, and its modern day resurgence is incorporated into the development plan.

Of the many commitments that the developer has made, a most significant commitment has been to allocate an area in the centre of this development, which is of great cultural significance to us, to be earmarked for the building of a World-First International Indigenous Media and Communication Centre.

In doing so, the developer, unlike any other government department, has honoured one of the central planks of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) which calls for indigenous peoples to have the capacity to record, report on, as well as print and broadcast matters and events of concern to them.



As a veteran journalist with more than 30-years experience in the local and international print and electronic media, this will be the realisation of the dream we have fought for throughout the resurgence, which is to tell our own story, to train our own people and to ensure that our voices find traction within the South African Nation and in the community of indigenous people around the world.

The second point that has swayed us to give our unambiguous support to the development proposal, is that both at the level of the ecology of the area – which the developer had committed to cleaning up and indigenising – and in terms of ensuring that the spiritual and cultural symbols of the Khoi and the San finds resonance within the proposed development plan.

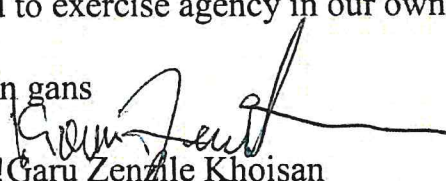
We have arrived at this position after much consideration and consultation with many of the senior indigenous leaders and their councils in the Peninsula, as also with prominent national leaders of the Khoi and the San. Among these we can clearly cite Khoi elder statesman, K'bia Hennie van Wyk, chief of the Gorachoiqua tribal council; Chiefs John Jansen and Tania Kleinhans-Cedras of the Cochoqua; High Commissioner Aaron Messellaar, of the Griqua Royal council, and Chief Cecil le Fleur, chairman of the National Khoi and San council.

We are aware, without a doubt, that there will be detractors, including those who believe that indigenous people stand diametrically opposed to development and are best served by being relegated to an anthropoid fetishised state where they roam perpetually in antiquity without the tools to navigate the modern world.

Others, for their own reasons, will try to maintain the area as a golf course and the riverbanks as rustic, undeveloped spaces, where women and children can be attacked at will.

Our position is that they are entitled to their views, but we must emphasise that indigenous people are not the perpetual children that the colonist and colonial mentally would have us be. On the contrary, it is our view that such paternalistic notions must by themselves be put to the sword, because we, the ones who had been at the frontline of fighting for recognition, restitution and restoration, have elected to exercise agency in our own interest and our progeny.

Kei gaṅ gans

  
Chief !Garu Zenzile Khoisan  
(On behalf of the Gorinhaiqua Cultural Council)





Date 8<sup>th</sup> November 2019

Heritage Western Cape  
Protea Building  
Greenmarket Square  
CAPE TOWN  
8001

**To Whom It May Concern**

!Gaitses

I Kal Bi'a Hennie van Wyk, in my capacity as head of the Gorahouqua Tribal Council herewith place on record our endorsement of the letter by Chief !Garu Zenzile Khoisan of the Gorin Haiqua Cultural Council in support of the River Club Development proposal, which will be located within the broader Two Rivers Urban Parkway corridor.

We agree with the position put forward by the Gorin Haiqua Cultural Council that the decision in support of the development proposal follows a pathway of engagements with several spheres of government, Chapter 9 Institutions, State entities and the private sector.

Our support for the project does not come lightly, as the area under consideration for the proposed development is a most sensitive location both in terms of its ecology, as also its deep heritage significance.

We fully concur that this decision is a strategic act of indigenous cultural agency to secure a legacy for those who suffered the indignity of dispossession and cultural genocide.

The fact is that we believe this is a wise decision,, through which we will all be able to both celebrate our history and heritage, including our history of resistance in major battles such as the war against Francisco D'Almeida in 1510 and the first Khoi-Dutch war of 1659 – 1660, which were the first major acts of resistance against colonial aggression in our country.

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Together with the Gorinhaiqua Cultural Council we have engaged government, chapter 9 institution and a range of other entities in our cause to get recognition, restitution and restoration for our people and we concur with Chief Zenzile that "our efforts in this regard have fallen on deaf ears, have been subjected to ridicule and, or bludgeoned with the arrogant silence of invisibility, which means being treated as never having spoken and not worthy of being heard."

We therefore fully support the decision of the Gorinhaiqua Council to exercise agency and to directly engage the entity involved in the proposed River Club Development.

Through this process, two pertinent results of the discussions, over a long period of time, have persuaded us to take a position in support of this proposed River Club development.

We celebrate the fact that this engagement has been fruitful and that the developer has made a firm commitment to ensure that the footprint of the Khoi and San's history of resistance, and its modern day resurgence, is incorporated into the development plan.

For us it is important that a significant commitment this been made that an area within the proposed development is to be earmarked for the building of an International Indigenous Media and Communication Centre.

This directly shows that the developer is conscious of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) which calls for indigenous peoples to have the capacity to record, report on, as well as print and broadcast matters and events of concern to them.

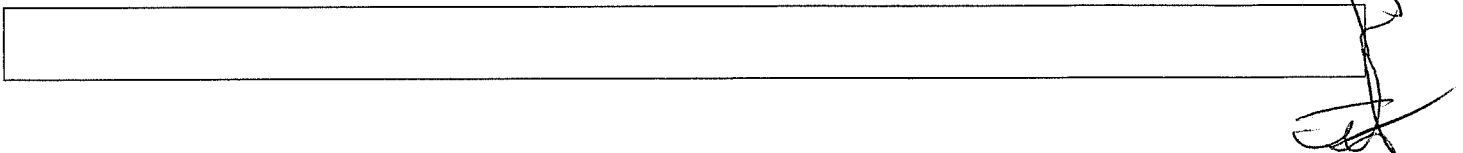
It is these types of engagements and outcomes which must be celebrated and emulated not only by government but also by the private sector, to ensure that justice triumphs, that the descendants of the first people are treated with respect and that the first peoples of this country are restored and recognized.




We therefore give our support and endorsement to this development proposal.

Kei gangans

**Kai bi'a Hennie Van Wyk**

Signature: -----



	<h1>House of N n e</h1>	
<b>Leader: †Xuu Katrina Esau</b>		
HOUSE CHAIRPERSON: Prince Charles Tieties		HOUSE SECRETARY: Richard Sauls
<b>N n e Com Dev Forum NPO: 173-208</b>		

Date: 10 October 2019

To: Jody Aufrichtig: Liesbeek Leisure Properties Trust



Dear sir

Herewith, the **Traditional Royal House of N|n|e**, under the leadership of Queen Katriena Esau, pledge its support to the Liesbeek Leisure Properties Trust for their property development purposes.

Hope you find this in order

Thanking you

Queen Katriena Esau



ANNEXURE 4 - PRECEDENT CASE STUDIES

RIVER CLUB

FIRST NATION REPORT

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**Australia**

1. Ngarara Place at the Royal Melbourne Institute of Technology (RMIT)



*[Handwritten signature]*



RIVER CLUB  
FIRST NATION REPORT

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Indigenous plant species are seen at Nipawin Place at RMIT City Campus by Greening Architects.



A traditional basket full of berries sits at Nipawin Place at RMIT City Campus by Greening Architects.

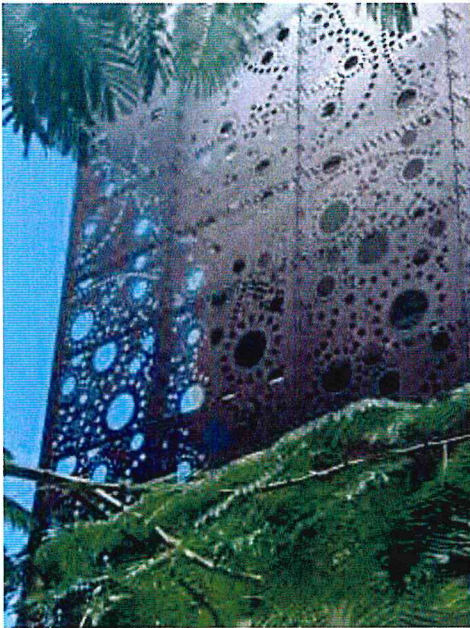
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2. Karratha Revitalisation



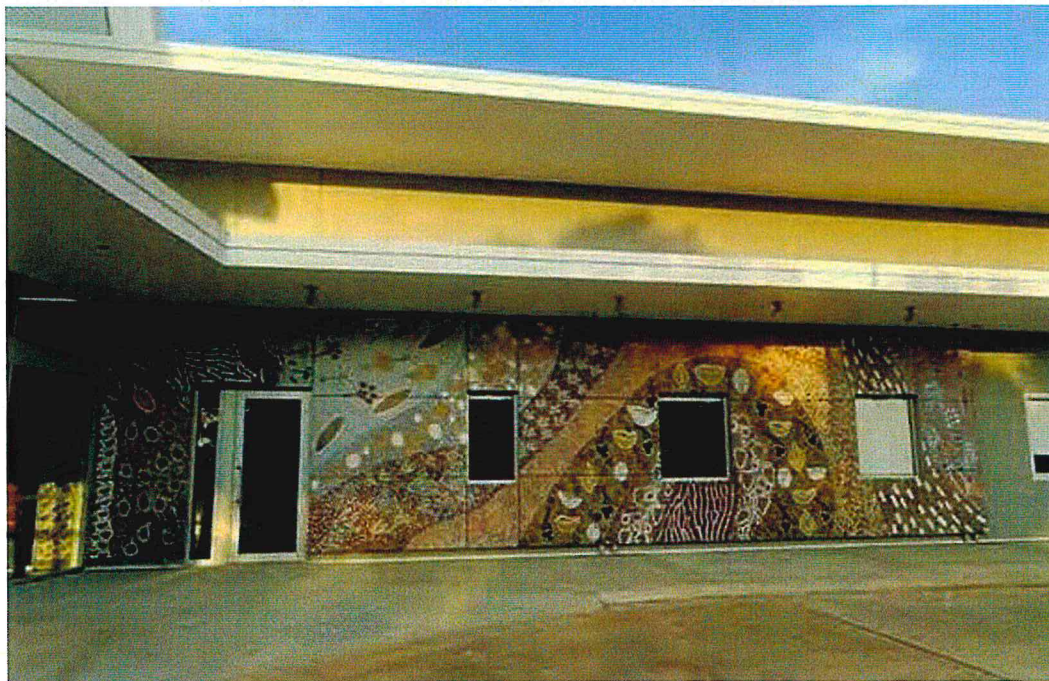
RIVER CLUB  
FIRST NATION REPORT

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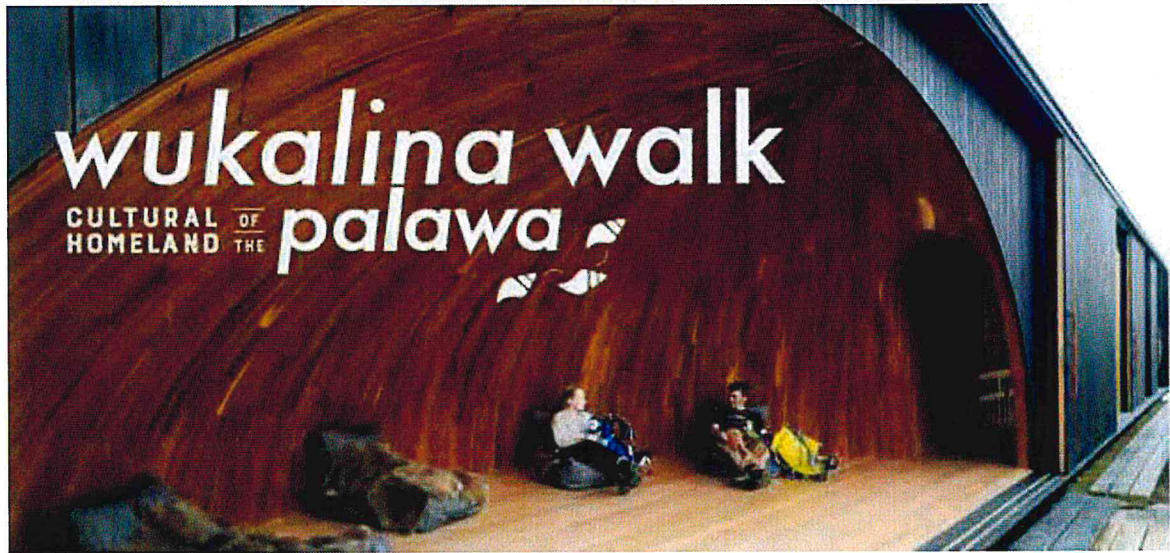
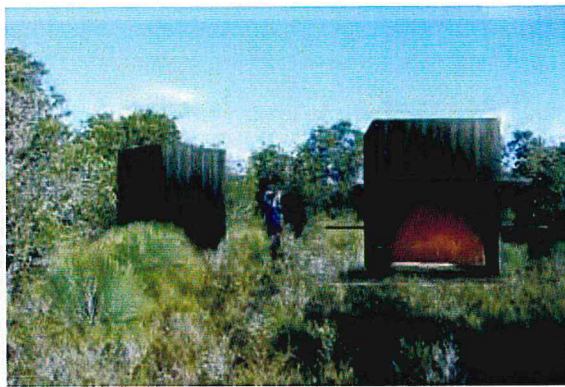
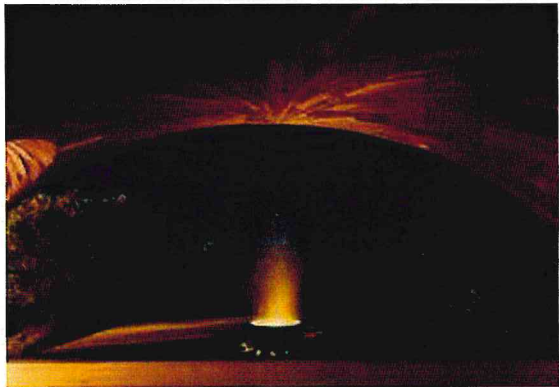
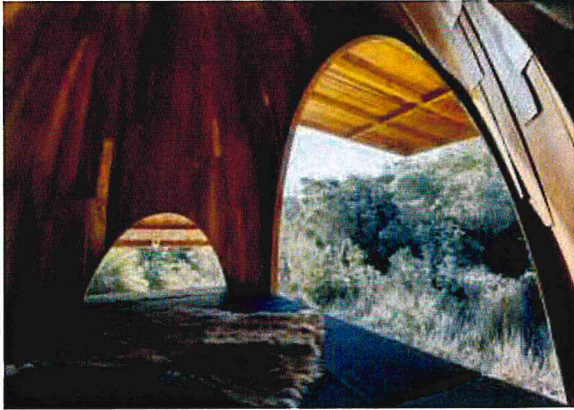


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**Miscellaneous**

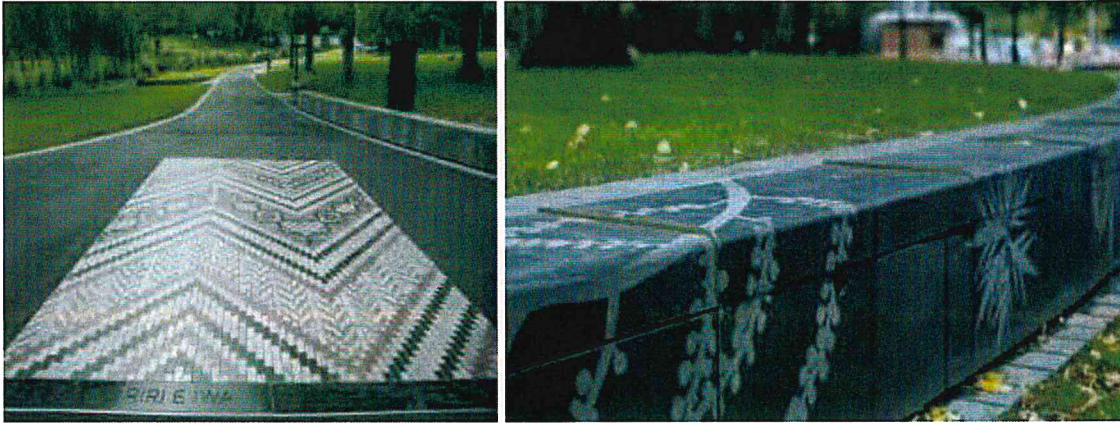


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**Aotearoa New Zealand**

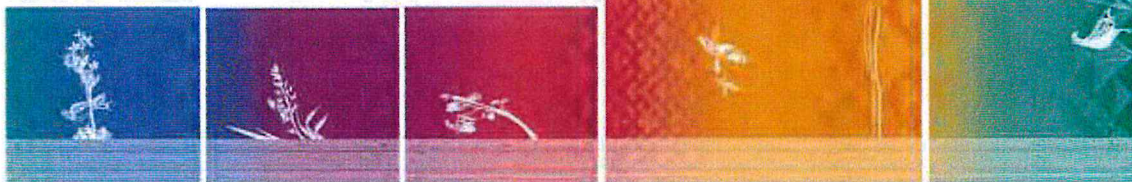
**1. Christchurch Redevelopment**



Right side lifts



Left side lifts



Kekupa

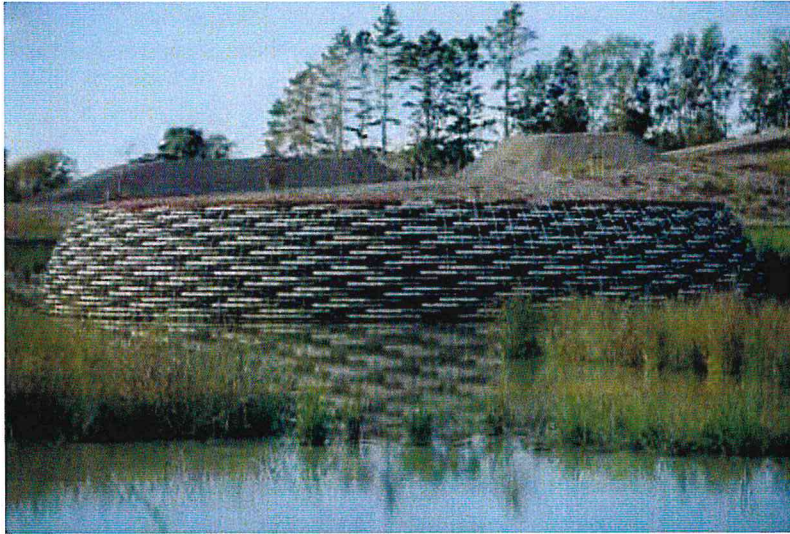
Tūi

Kākāpo

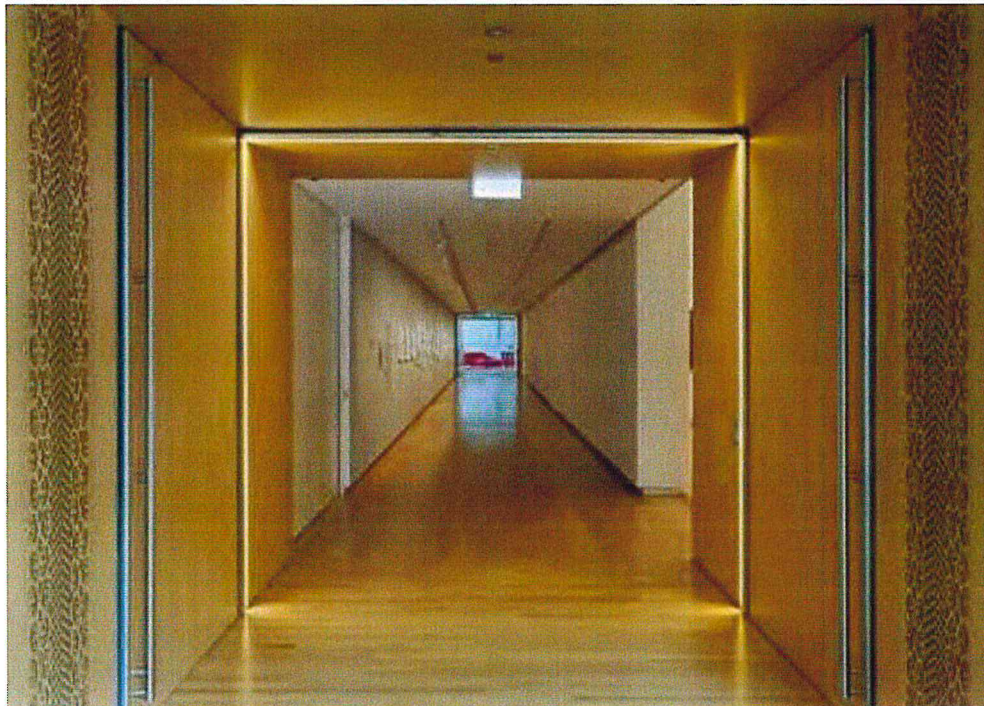
Tūi

Pūkari  
Pukeko

2. Kopupaka Reserve



### 3. Auckland Art Gallery





#### 4. Commercial Bay



The **Sky Terrace/Sky Garden** (located outside Sky Lobby on level 6 of Commercial Tower) is a key landscape design feature of Commercial Bay. An urban rooftop space that promotes views out to Rangitoto and the Waitematā, the terrace provides ample space for planting and the opportunity to connect the development with the wider cultural and natural landscape. The elevation of the terrace allows users with a unique experience of the city's contemporary meeting point with the Waitematā.

**Canada**

Aboriginal Learning Centre, Calgary, Alberta.



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RIVER CLUB  
FIRST NATION REPORT

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First Peoples House, University of Victoria, BC.



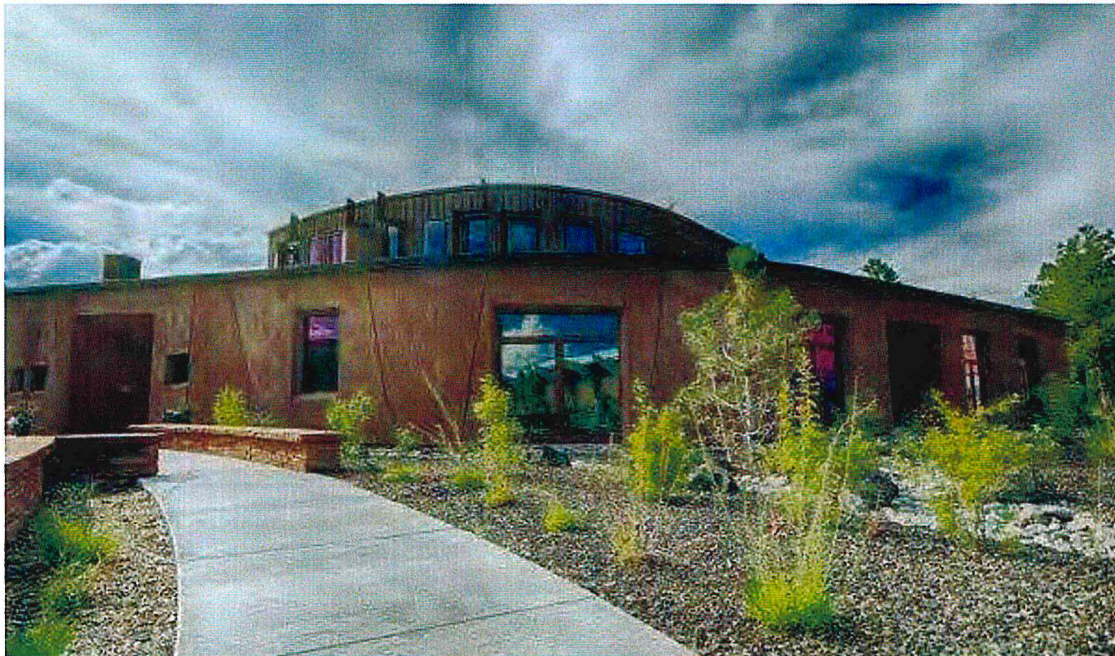
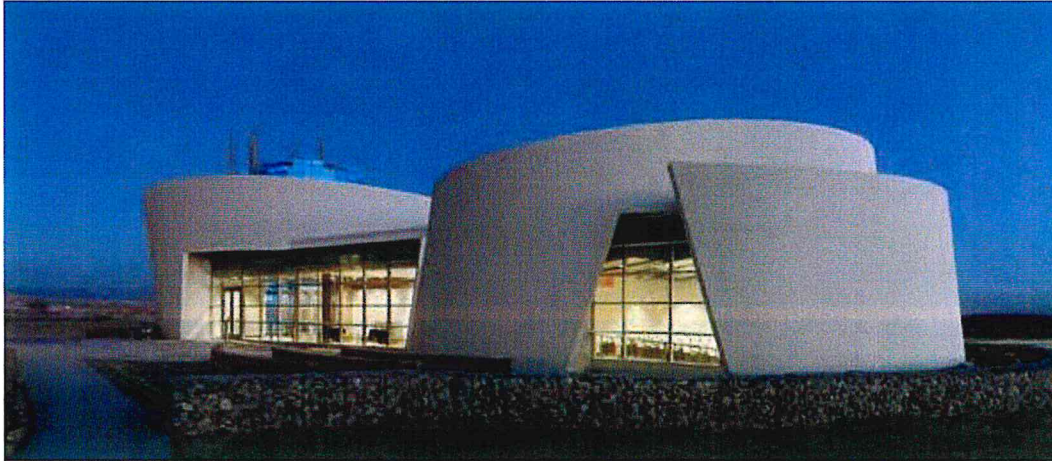
Squamish Lil'wat Cultural Centre



A handwritten signature or set of initials in black ink, located in the bottom right corner of the page. The signature is stylized and appears to consist of several overlapping strokes.

**USA**

Native American Cultural Centres



RIVER CLUB  
FIRST NATION REPORT

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Community School



Handwritten signature or initials in black ink, consisting of a large 'H' and some scribbled lines below it.

**EXPERTISE:** Social anthropologist specializing in culture and heritage of indigenous people, specifically social history and intangible heritage of South African First Nations, the Khoi-San.

**Note:** Indigenous refers to the following:

1. The Khoi-San as defined by Act No. 3 of 2019: Traditional and Khoi-San Leadership Act, 2019 that defines Khoi-San as "any person who lives in accordance with the customs and customary law of the Cape-Khoi, Griqua, Koranna, Nama or San people, or any subgrouping thereof, and is consequentially a member of a particular Khoi-San community as contemplated in section 5,"
2. Southern African Bantu-speaking peoples, comprising Nguni (Zulu, Xhosa, Ndebele, Swazi), Sotho-Tswana, Shangaan-Tsonga and Venda.

**QUALIFICATIONS:** BA Honours in Social Anthropology (focusing on indigenous people: Khoi-San). University of Cape Town, 1990.

Social Anthropology is the study of traditions, customs, culture, heritage and beliefs of society.

The methods and hallmarks of the discipline are:

1. Ethnography (systematic description of people and culture)
2. Participant observation (immersion and participation in a group or culture to observe, experience, and explore in depth the why's and how's of the group or culture.)
3. Life histories: personal narratives of how culture is created and experienced by the individual. It locates micro-historical (individual) experiences within a macro-historical (history of the time) framework.
4. Emic approach: recording phenomena from an insider's perspective.
5. Key informant interviews: qualitative in-depth interviews with knowledge keepers and people in the know.

**Thesis topic:** My honours thesis was on legal pluralism and how it was experienced by a displaced Khoi-San-descendant community (Mr. Fraser Anthony and his extended family) in Hout Bay.

Mr. Enver Daniels and the National Association of Democratic Lawyers (NADEL) assisted me with the explication of legal pluralism and its applicability to the Khoi-San-descendant community.

Based on my thesis, I co-produced a documentary that dealt with the effects of a threat of eviction on the Khoi-San-descendant community. The documentary, *"The People of Disa River"* explored the legal ramifications and highlights the opposition between formal state law and *"people's law"*. The documentary was shown to great acclaim at documentary festivals throughout Europe. *"The People of Disa River"* can be obtained from the Centre for African Studies at the University of Cape Town.

## 'Ons bly net hier in Disa River'



"ONS gaan nie Phillipi toe nie. Huid moet by ons bly. Ons moet maar ons en ons kinders bly net hier in Disa River."

Lillian Anthony, 66, is entoes as sy praat. Sy en haar man, Oupa Fraser, woon al jare lank in Disa River. Hulle het baie kinders en agtien kleinkinders.

"Al hulle ons ordentlik hanteer, sal ons ure. Maar hier het ons ander 'ok nie'."

Oupa Lillian het 'n baie goeie hart. Haar baai gesoek.

Ses Oupa Lillian is 'n baie goeie mens. Sy het baie goeie kinders.

Maar dis mens was in ordentlike huise wat hulle verlate. Hulle het netter om 'n goeie huise te maak."

Fraser Anthony woon met sy hulle gain in Disa River



Mr. Martin Anthony and his two daughters in Disa River.



Dear Mr. Anthony poem by Disa River

**AWARDS AND HONOURS:**

2014-2015. Visiting Scholar at the Centre for Advanced Urbanism, School of Architecture and Planning, Massachusetts Institute of Technology (MIT), USA. Located at the world-renowned MIT Media Lab, I researched the use of geospatial technologies in developing cultural maps and recreating historic landscapes based on intangible cultural heritage.

2013. National Museum of the American Indian, Smithsonian Institution (USA). Explored how First Nations in the United States drew on their tangible and intangible cultural heritage as a means of economic empowerment.

2016 – 2017. Erasmus Mundus Programme, University of Porto, Portugal. Explored long-term form change in vernacular landscapes through describing the spatial evolution of indigenous landscapes by mapping and examining the form of selected physical landmarks and associated intangible cultural heritage, over time.

2016. German Academic Exchange Service (DAAD), University of Cologne and Berlin, Germany. Researched hedonic valuation of urban green space. The project I worked on was the Templehofer Feld historic airport and green space in Berlin. The project involved participative planning approaches around contested spaces; commodification and valorization of public spaces; and natural and cultural heritage of the former airport Berlin-Tempelhof. I developed a GIS-based tool that created digital time-slices of the cultural and heritage stratigraphy of the site. These digital cultural and heritage time-slices were then developed into exhibition material to facilitate dialogue and ongoing participatory development of the site.

2015. Utrecht University, Netherlands. Enhanced my expertise in the use of Geographic Information Systems (GIS), indigenous landscapes and historic maps by looking at the evolution of indigenous landscapes of historic Cape Town. I conducted a time-slice analysis of the cultural landscapes of the early Cape by draping digitized and geo-referenced historical and cultural maps over a digital elevation model (DEM) of Cape Town. This involved time spent at the Netherlands National Archives in The Hague and sourcing historic VOC maps of Cape Town.

1997-8. Oliver Tambo Fellowship in Public Leadership (SA). Two-year programme on public leadership that included using participatory methodologies for stakeholder engagement, and mobilising individuals, community organisations and networks to enact public good.

1996. International Visitor Leadership Programme, State Department (USA). Worked with the Sioux, Pueblo, Navaho, and Apache First Nations on incorporating indigenous knowledge and practices in managed health care and health facilities planning. I was adopted into the Pueblo in New Mexico and was placed under the protection of the directional guardian of the West, the bear.

**RELEVANT EXPERIENCE (31 YEARS: 1990-2021)**

2021: Developed a methodology and rating scale for incorporating water-related indigenous ecological knowledge, concepts and praxis in a Water Sensitive City Index Benchmarking tool that can be used by Cities when endeavoring to include local indigenous people, indigenous intangible cultural heritage, and indigenous knowledge in the planning and management of water systems in South Africa, and globally. (Zutari for the City of Cape Town and the Western Cape Provincial Government)

2019-2020: River Club Redevelopment. This project sought to understand the significance of the River Club site to the First Nations, the indigenous Khoi-San by:

- (i) Identifying indigenous intangible cultural heritage specific to the River Club.
- (ii) Locating the River Club site within the Indigenous narrative of the broader Two Rivers Urban Park (TRUP) cultural landscape.
- (iii) Identifying Khoi-San aspirations regarding Indigenous cultural heritage and the River Club site.
- (iv) Implementing the recommendation of the TRUP First Nations report that "acknowledging, embracing, protecting and celebrating the Indigenous narrative be a heritage-related design informant that informs" precinct and site planning and development of the River Club. (Liesbeek Leisure Properties Trust)

2019: Two Rivers Urban Park (TRUP). This project sought to:

- (i) Understand the significance of TRUP to the First Nations by identifying Khoi-San intangible cultural heritage specific to TRUP, as articulated by indigenous custodians.
- (ii) Identify collective First Nation aspirations with regard to celebrating Khoi-San intangible cultural heritage at TRUP.
- (iii) Incorporate the indigenous narrative - of First Nation intangible cultural heritage specific to TRUP - into the spatial governance of TRUP, by developing heritage related design informants (HRDis), informed by the indigenous narrative.

In line with international intangible cultural heritage (ICH) convention and best practice, the following elements of the Khoi-San indigenous narrative were identified for incorporation into the spatial governance of TRUP.

ICH Domain	TRUP Indigenous Narrative Element
1. Oral Traditions & Expressions	Stories of resistance & indigenous folklore
2. Performing Arts	Riedens cultural dance
3. Social Practices, Rituals & Festive Events	Nhu ceremony
4. Knowledge & Practices Concerning Nature & the Universe	Indigenous ethnobotany & crature I.o. eiland. Ion and jackal. playing mannis.
5. Traditional Craftsmanship	"Majieshuis" traditional hut, made of reed mats and bent sticks.

Table 1 - Intangible Cultural Heritage Elements

(TRUP First Nations Report, 2019: Western Cape Government: Department Transport and Public Works)

2019: Jan Marais Nature Reserve (JMNR) Strategic Business Plan: Appointed by Stellenbosch municipality to develop a strategic business plan for the Jan Marais Nature Reserve situated within the urban core of Stellenbosch. Key elements of the business plan were:

1. Integrating the nature reserve as a mosaic comprising environmental, arts, cultural and heritage elements.
2. Incorporating an Eco and Indigenous Cultural Centre: Approximately 50% of flora in the Jan Marais Nature Reserve is edible and/or have medicinal properties and were used by the Khoi-San for food, nutrition, and healing purposes.
3. Indigenous Allotment Gardens: An allotment garden is a plot of land that is made available to an individual or non-profit entity for non-commercial gardening or for the growing of food plants for personal subsistence. It is made available to individuals, practitioners, and the Khoi-San communities for the growing of indigenous plants that have traditionally been used as food, for medicinal purposes, and rituals. The establishment of a number of indigenous allotment gardens were proposed in the low-density development zone next to the existing eco centre in the JMNR. These allotments would grow indigenous plants found in the JMNR that have traditionally been used as food and medicine by the Khoi-San.
4. Indigenous Arts and Crafts Training Centre and Gallery to preserve, develop and promote traditional arts and crafts of the Khoi-San. The Centre and Gallery to be managed by an Indigenous Arts and Crafts Co-operative. The co-operative would also: promote indigenous art and craft production, facilitate referrals and networking, do advocacy and lobbying, provide consultation services for indigenous arts and crafts community, market and promote, resource and support indigenous Khoi-San artists throughout South Africa, store and publicize artworks produced by community members, and foment new talent, and train young professionals to work in the sector.

5. Castings of Indigenous and Renosterveld Wildlife: It was proposed that life-sized bronze castings of wildlife that historically used to roam in the Fynbos and Renosterveld habitat be made and located at predetermined locations in the "Nature Access – Fynbos and Renosterveld" Zone of the JMNR. This would include castings of the Black Rhino after which the Renosterveld habitat is named and the eland, jackal, lion and praying mantis which are important animals in indigenous cosmology and folklore. Bronze castings of historic indigenous wildlife that formed part of the Khoi-San cosmology and folklore would also constitute the embodiment of intangible heritage, and their location in the JMNR could be where local folklore and stories could be told, retold, and reinterpreted over time. The presence of bronze castings of wildlife interspersed amongst the Fynbos and Renosterveld will add missing elements to the historic landscape and enhance visitor

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experience of the JMNR through combining conservation programmes, art-works and indigenous narratives.

6. Public Art as Heritage Initiative: It was proposed that a JMNR Public Art as Heritage Initiative be established. The initiative would explore the role of public art and sculpture in intangible heritage and locate the JMNR within this exploration. This would involve developing cultural and heritage themes for the JMNR which would be articulated as a heritage route through the JMNR comprising various heritage and culturally-themed public sculptures and artworks with associated historical background, meaning and interpretation. Some of the sculptures and artworks would not have any formal interpretation, so as to enhance the sense of discovery and exploration. The Initiative would involve a review of the existing public sculptures and artworks in the JMNR in terms of the afore-mentioned, to be developed, cultural and heritage themes for the JMNR. Overall, the JMNR Public Art as Heritage Initiative would enhance the indigene, visitor and tourism experience of the nature reserve by draping it with a layer of culture and heritage.

2018-2019: Precinct Study of the "Noorder Pêrel" area of Paarl for the Drakenstein Municipality. This included compiling a heritage inventory, proposing heritage gradings, preparing a Statement of Significance, development and design guidelines, and identifying opportunities for memorialization.

Under the Group Areas Act, the "Noorder Pêrel" precinct experienced the reclassification of the area and the forced removals of the original Khoi-San descendent community of "Noorder Pêrel" to the east of the Berg River.

The rationale for the project was underpinned by the growing concern within society at large, for shared social redress and acknowledgement of the historic disenfranchisement of certain groups within the municipal area. The project was to foster a shared acknowledgement, and an acceptance of the history of previous disadvantaged communities - the subaltern Khoi-San - within the municipal area.

A key imperative of the study was the economic empowerment of the owners of the heritage wealth and cultural capital of the "Noorder Pêrel" precinct.

The aim of this project was to help guide decision making for land development applications and identify opportunities to promote the shared history of Paarl.

The following opportunities for commemoration were identified:

1. Significant landmarks of Noorder Pêrel be commemorated through signage that adequately and appropriately communicates the impact of the forced removals associated with the Group Areas Act (1961). These landmarks included: St Stephen's

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Anglican Church, the site of St Stephen's School, and the remaining structures of Rooikamp along Main Road.

2. A homecoming centre and museum be established and located at the St Stephen's Church. This centre would capture memories of Noorder Pêrel and be a hub of memorialization initiatives for Noorder Pêrel.
3. A photo retrieval project. This involves digitizing and archiving records and photos of Noorder Pêrel and life in Noorder Pêrel, that former residents, relatives or custodians may have.
4. An oral history initiative that involves recording and digitally archiving histories and stories of Noorder Pêrel, as narrated by former residents and knowledge keepers.

2019: Conducted a Socio-Historical study of De Novo settlement in Kraaifontein. The need for the study emanated from a requirement by Heritage Western Cape for a socio-historical assessment of the area. The study included a description of the evolution of the cultural landscape of De Novo, case studies of households contextualized within the origin narratives and cultural landscape, profiling the De Novo community based on a community survey, and an overview of community responses to contemporary developments at De Novo.

A major issue of contention was the 2013 decision of the Western Cape Department of Transport and Public Works and the Stellenbosch Municipality, to demolish remnants of historic buildings, which were purported by the state, to have been used for criminal activity. This gave impetus to a community imperative around intangible cultural heritage as articulated in their stories. The community's sensitivity and rawness of their wounds regarding local heritage, is evident in the following newspaper article.



2018: Pniel Heritage & Tourism Strategic Business Plan Appointed by Stellenbosch municipality to develop a strategic business plan for municipal-owned land in Pniel. The brief included engaging various Khoi-San descendant communities, heritage tourism potential assessment, Visioning and development plan for the site, business model development and funding strategy. The project involved extensive stakeholder engagement with overlapping interests and mandates which included church land considerations, a land rights inquiry, and the Dwaarsrivier Valley Community Development Trust (Formerly known as the Boschendal Development Trust). Communities affected include Kylemore, Johannesdal, Pniel and Lanqueodoc.

2017-2018: Precinct Study of the "Ou Tuin" area of Paarl for the Drakenstein Municipality. This included compiling a heritage inventory, proposing heritage gradings, preparing a Statement of Significance, development and design guidelines, and identifying opportunities for memorialization.

Under the Group Areas Act, the "Ou Tuin" precinct experienced the reclassification of the area and the forced removals of the original Muslim community most of whom were descendants of freed slaves and had Khoi-San ancestry, to the east of the Berg River.

The project recognized that any commemorative intervention requires an individual, organization or institution that will champion the project and be responsible for its implementation. It was proposed that an Ou Tuin Heritage Foundation be established to oversee the implementation of a heritage commemoration programme. The proposed Foundation would be a Non-Profit Organization (NPO) comprising former residents of Ou Tuin, their descendants and co-opted members.

Commemoration Opportunities / Interventions of the Proposed Ou Tuin Heritage Foundation included:

1. Digitization, digital preservation and online accessibility of Ou Tuin cultural material.
2. Commemorative Book : A high quality Ou Tuin Commemorative Book would tell the history of Ou Tuin through a combination of stories and photographs by and of the people of Ou Tuin. The book would bring people, places, and memories to life.
3. Heritage Art Workshops: A series of art workshops initiated by the Ou Tuin Heritage Foundation where members of the public would be invited to create their own expression in various arts forms (ceramic tiles, painting, sculpture, etc. to reflect on their identity and what it means to be a former resident of Ou Tuin or a descendant of a former resident. The series of workshops would potentially culminate in the installation of a mural under the auspices of the Ou Tuin Heritage Foundation.
4. Ou Tuin Trail of Tears: Memory benches and sculptures could be placed at different locations to form a "trail of tears" for Ou Tuin. This trail could be one of several memorial

2001-2013: Facilitated several projects involving indigenous communities and intangible cultural heritage. Projects include:

1. Assisting the Griqua of Kranshoek in Bitou Municipality (Plettenberg Bay area) with the development of a concept plan for a Griqua Museum at Kranshoek that would draw on Griqua heritage as a means of economic empowerment of the local Griqua people. This included facilitating links with the National Museum of the American Indian of the Smithsonian institution in the United States.
2. Developing a concept plan for an Interpretation Centre at Robberg Nature Reserve in Plettenberg Bay.
3. Working with the great South African cultural stalwart, playwright, actor, and writer, the late Welcome Msomi, best known for the play uMabatha, which was an adaptation of Shakespeare's Macbeth into Zulu culture, to incorporate intangible cultural heritage of indigenous peoples into theatre productions and communications strategies.
4. Facilitating indigenous development projects for the Zulu Monarch, the late King Goodwill Zwelithini.
5. Worked on several land restitution projects with indigenous communities throughout South Africa. Including the indigenous community at Dysselsdorp (Oudshoorn) where intangible cultural heritage was used to inform development of a photo-comic as a medium for communication in indigenous land claims projects.
6. Also worked on projects in Mpumalanga, Kwazulu-Natal and the Western Cape where interventions ranged from development plans for restituted land to establishing institutional structures for land ownership and governance. For example, the Emmaus community trust in Kwazulu-Natal and working with Sekhukhuleni and Waterberg communities in Limpopo (Commission on Restitution of Land Rights).
7. Developed a business plan, established a community trust, and facilitated the incorporation of Zanzibari intangible cultural heritage in the design and development of a Zanzibari Culture and Heritage Centre for an indigenous community from Zanzibar, who settled on the Bluff in Durban (KZN Land Claims Commission).

1998 – 2000: Facilitated economic development, benefit-sharing and protection of indigenous intellectual property rights of the SAN community with regard to the Hoodia indigenous appetite suppressant in the bio-prospecting initiative of the Council for Scientific and Industrial Research (CSIR), Phytopharm and Pfizer.

1995-1997: Facilitated resettlement and development of San-descendant communities (the !Xun and Khwe) from Schmidtsdrift to Platfontein in the Northern Cape. The community were former South African National Defense Force soldiers (31 Battalion) and their families. The disbanding of the 31 Battalion and the demilitarization of the San required a rebuilding of not only a human settlement but also a sense of indigeneity amongst the !Xun and Khwe San.

events held in Ou Tuin on the annual Heritage Day public holiday. The trail could also be used as a basis for heritage walking tours for locals and tourists.

5. Educational programme: Educational programmes for schools and other institutions. This could have considerable success in raising awareness and appreciation of Ou Tuin as a cultural heritage site, which in turn contributes to a deepened understanding among the participants and a greater desire to protect this heritage.
6. Travelling Exhibition: Ou Tuin's cultural heritage should be made accessible for all. It could also strengthen social and economic development through cultural cooperation, entrepreneurship, and heritage management. This can be fostered through the development of an Ou Tuin travelling exhibition that will be on display locally, nationally and internationally.
7. Ou Tuin Museum: Establish Ou Tuin museum or memory centre. It can tell the stories (intangible heritage) of a people whose physical past (tangible heritage) was destroyed.
8. Wall of Remembrance: The Holy Trinity Anglican Church initiated establishing a Wall of Remembrance in the Hof Street cemetery. This Wall would also serve as a resting place for the cremated remains of the deceased.
9. Holy Trinity Multipurpose Centre: The Holy Trinity Anglican Church intended establishing a multi-purpose youth Centre on the site of the former Holy Trinity School. The Church recognized the importance of the development of the youth as a key pillar for the wellbeing of society.

2015: Social Facilitation of housing for Khoi-San descendant rural and farm dweller communities in Simondium. (Drakenstein Municipality)

The project involved:

1. Facilitating the establishment of housing for the Simondium rural and farm dweller community.
2. Working towards security of tenure for rural families and farm dwellers.
3. Provision of an information and resource service / facility to rural families and farm dwellers.
4. Setting up a database of all farms and land parcels in the Simondium area.
5. Mapping all rural families and farm dwellers on the farms and land parcels.
6. The establishment (design, development, management and maintenance) of economically viable and sustainable agri-village/human settlement with job opportunities and livelihoods creation for rural families and farm dwellers in the Simondium area.
7. Making Simondium a model for integrated sustainable rural development and co-existence.

1995: Facilitated resettlement and development of Khoi and San-descendent communities (the Damara, Nama and Herero) at Riemvasmaak in the Northern Cape. Riemvasmaak was expropriated in 1974 and used by the 8 South African Infantry Training Unit (8 SAI), the South African Air Force (SAAF), and Armscor for training and weapons testing. A key challenge in the resettlement and development of the indigenous community was dealing with spent shells and unexploded ordnance from aircraft, artillery, and infantry support munitions. Riemvasmaak represented the first successful land restitution case in post-apartheid South Africa.

1994-5: Facilitated development, job creation and capacity building projects for the Nama community in the Richtersveld, and other Khoi and San-descendent communities in the Western Cape and Northern Cape. Independent Development Trust (IDT).

1993-4: Co-authored the first ever Medical Association of South Africa (MASA)-commissioned report, "Bridging the Gap," on the areas of convergence and divergence between biomedical western medicine and indigenous/traditional medicine.

1993: Researched environmental health implications of informal housing settlements for Khoi and San descendent communities. Medical Research Council (MRC).

1992-3: Principal researcher in a series of studies that investigated cross-cultural health seeking behavior using a combination of qualitative (mostly anthropological) and quantitative (survey) methodologies.

1991-2: Researched the relationship between Urbanisation and Indigenous child health related beliefs and practices. Indigenous concepts of disease and etiology (disease causation and origin) were then incorporated into health promotion programmes to improve vaccination rates amongst indigenous communities. Centre for Epidemiological Research of Southern Africa (CERSA), Medical Research Council (MRC).

1990: Field surveys and cultural mapping of Khoi and San communities in Namaqualand, Department of Social Anthropology, UCT.

