
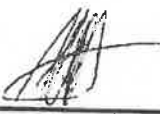





# Eastern Cape Provincial Policy on Heritage Resources Management

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## **FOREWORD**

It is with great pleasure to present the Eastern Cape Provincial Policy on Heritage Resources Management on behalf of the Provincial Government.

The Eastern Cape is the Home of Legends because of the massive and selfless contribution of the people of this province in the attainment of freedom and democracy in South Africa. Local communities led by traditional leaders defended their ancestral land from European colonialists for a period of 100 years during the Cape Wars of Resistance that started in 1779 and ended in 1879. The Eastern Cape continues to become a theatre of conflict and the bedrock of the struggle for national liberation that took place after 1910 and ended with the attainment of freedom in 1994. It is therefore historical and coincidental that this policy is approved at a time when South Africa is celebrating 30 years of freedom and democracy.

The purpose of this policy is to provide a coherent framework for the identification, safeguarding, and preservation of heritage resources in the province.

We look forward to the active participation of our stakeholders and social partners during the roll out and implementation of this policy, particularly in view of the fact it is a reflection of your contribution to its development. Thus, this policy creates an enabling environment for our stakeholders and social partners, particularly youth, women, people with disabilities, and military veterans to utilize this framework as an instrument to fast-track transformation of the Eastern Cape's cultural landscape in a manner that promotes nation building, peace, unity, reconciliation, social cohesion and local economic development.

It is therefore expected that the implementation of the policy will have a positive socio-economic impact as well as benefit the heritage resources sector in the Eastern Cape.

I thank you.



**RON. SIBULELE NGONGO**

**MEC FOR SPORT, RECREATION, ARTS AND CULTURE**

**DATE: 31 March 2025**

## DEFINITION OF TERMS, ABBREVIATIONS AND ACCRONYMS

Better Building Programme	A programme managed by the Johannesburg Property Company is an example of an effective programme that plays a role in reclaiming and rehabilitating rundown buildings. The programme provides a framework for securing and repairing economically marginal blocks of flats. The programme also provides for ongoing building management, upkeep, and maintenance.
Conservation	In this context, it is in relation to heritage resources, includes protection, maintenance, preservation and sustainable use of places or objects to safeguard their cultural significance.
Cultural significance	Refers to aesthetic, architectural, historical, scientific, social, spiritual, linguistic, or technological value or significance.
Department	Means the provincial department responsible for arts and culture and heritage.
Development	Any physical intervention, excavation, or action, other than those caused by natural forces, which may in the opinion of a heritage authority in any way result in a change to the nature, appearance or physical nature of a place, or influence its stability and future well-being, including - construction, alteration, demolition, removal or change of use of a place or a structure at a place; carrying out any works on or over or under a place; subdivision or consolidation of land comprising, a place, including the structures or airspace of a place; constructing or putting up for display signs or hoardings; any change to the natural or existing condition or topography of land; and Any removal or destruction of trees, or removal of vegetation or topsoil.
DMV	National Department of Military Veterans
DOU	National Department of Justice and Constitutional Development
DSAC	National Department of Sport, Arts and Culture
DSRAC	Department of Sport, Recreation, Arts and Culture
ECPGNC	Eastern Cape Provincial Geographical Names Committee
ECPHRA	Eastern Cape Provincial Resources Authority
Heritage resource	Any place or object of cultural significance
Heritage resources authority	South African Heritage Resources Agency, established in terms of section 11, or, insofar as this Act is applicable in or in respect of a province, a provincial heritage resources authority.
Heritage site	A place declared to be a national heritage site by SAHRA, or a place declared to be a provincial heritage site by a provincial heritage resource.

Living heritage	Refers to intangible aspects of inherited culture, and may include: <ul style="list-style-type: none"> <li>o Cultural tradition/oral history/performance/ritual/ popular memory skills and technique/indigenous knowledge systems and the holistic approach to nature, society, and social relationships authority.</li> </ul>
Local authority	A municipality as defined in section 10B of the Local Government Transition Act, 1993 (Act No. 209 of 1993).
Management	In relation to heritage resources, includes the conservation, presentation and improvement of a place protected in terms of this Act.
MEC	Member of the Executive Council unless otherwise stated and insofar as a provision of this Act is applicable in or in respect of a province, means the member of the executive council of a province responsible for cultural matters.
NHCA	National Heritage Council Act
NHRA	National Heritage Resources Act
Provincial heritage resources authority	In so far as this Act is applicable in a province, means an authority established by the MEC under section 23.
Public monuments and memorials	All monuments and memorials - erected on land belonging to any branch of central, provincial, or local government, or on land belonging to any organisation funded by or established in terms of the legislation of such a branch of government; or which were paid for by public subscription, government funds, or a public-spirited or military organisation, and are on land belonging to any private individual.
Structure	Any building, object, device or other facility made by people, and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith.
Virtual exhibition	An online exhibition, also referred to as a virtual exhibition, online gallery, cyber-exhibition, is an exhibition whose venue is cyberspace.
Virtual exhibition hall	An exhibit hall where one can show off products and booths in a virtual setting. A virtual exhibit hall can be in the form of a waiting room or the first screen that attendees see when they log into a virtual meeting where they can interact with exhibitors.
POPIA	Protection of Personal Information Act, 2013, an act that governs when and how organisations collect, use, store, delete and otherwise handle personal information.
SAGNC	South African Geographical Names Council
SAHRA	South African Heritage Resources Agency

## **1. INTRODUCTION**

The Eastern Cape has a rich culture, political history, landscape, architecture, and nautical heritage that must be managed, nurtured, protected, and preserved for the benefit of future generations. Xhosa traditions, ancient rock art of the KhoiSan, the architectural legacy of the first European settlers and the rich biodiversity of the Eastern Cape demonstrate the province's unique heritage resources.

The province is also the birthplace of some of South Africa's most iconic political heroes and heroines, intellectuals, and authors.

Pre-colonial relics left by KhoiSan people from long before the emergence of the modern metropolis have been found scattered across the landscape, from Tsitsikamma in the east, to Kokstad western part of the province. Buildings in the province's historic core represent a variety of architectural styles illustrating the Eastern Cape's development over a period of more than 100 years.

The province's heritage includes impressive public buildings; the signature buildings of the province's manufacturing and financial giants, and a host of other commercial buildings; churches, mosques, synagogues, and temples which served the spiritual needs of a burgeoning population; and a great variety of residential buildings, from the mansions of the captains of industry to the modest township houses, shanties, and hostels of the working people. Today, historic buildings and places in towns and townships still map the provincial heritage route.

## **2. PROBLEM STATEMENT**

Although the Eastern Cape has a rich heritage. The province has however been quick to disregard its heritage and has been known for the rapidity with which it demolished buildings. The history of the province's towns and cities such as (Gqeberha) Port Elizabeth, Port Alfred, (Makhanda) Grahamstown, East London and Komani (Queenstown) have been marked by constant cycles of destruction and rebuilding. The province has been rebuilt many times over, with buildings of great significance being demolished to make way for new developments. The province's heritage resources are precious, non-renewable, finite, and irreplaceable and must therefore be protected to ensure their survival.

Oppressive racial policies have also taken their toll on the historic environment. Apartheid destroyed the unique character of multi-racial settlements such as the East Bank in East London and South End in Gqeberha to clear these areas for exclusive

white occupation. Heritage sites in the black townships were also denied official protection, recognition, and support.

The province has been the site to nine recorded wars of dispossession stretching a period of 100 years. Local chiefs and kings were constantly engaged in battles, defending their ancestral land against European invasion.

Currently, there is inadequate regulation on how best to protect, conserve, document, manage and promote these heritage resources, hence the continued destruction and improper management of these resources by citizens and government bodies at large.

This policy therefore seeks to provide a framework that will guide the management and preservation of these resources so that they can benefit the economy and future generations to come.

There are positive aspects that have been successfully implemented that will assist in realising the purpose of this policy. These include:

- (a) Promotion of national pride, nation building and enhancing social cohesion.
- (b) Promotion of cultural identity through safe - guarding, protecting, and developing heritage resources.
- (c) Promotion of collection, preservation, conservation, and documentation of cultural or natural heritage.
- (d) Using heritage resources to provide a positive platform for education, and continuous research that increases knowledge and learning for communities.
- (e) Heritage resources have the potential of marketing the Eastern Cape outside the province.
- (f) Provides and promotes the audit for local heritage resources.
- (g) Engaging community development and upliftment.

### **3. OBJECTIVES**

3.1 The objective of this policy is to provide a coherent framework for the identification, safeguarding, and preservation of heritage resources in the province, while seeking to achieve the following objectives:

- (a) To facilitate and develop a uniform approach for the identification and management of heritage sites in the Eastern Cape.
- (b) To facilitate and develop a provincial strategy to co-ordinate identification and management of heritage sites.
- (c) To ensure that the Eastern Cape Provincial Heritage Resource Agency (ECPHRA) assesses competency of local authorities to manage heritage resources under their jurisdiction.

- (d) To ensure ECPHRA assigns heritage management functions to competent local authorities.
- (e) To ensure that heritage conservation and management contributes to socio-economic development of local communities as well as contributes to development of heritage tourism in the province.
- (f) To ensure that geographical place names and features are standardised, and that heritage conservation contributes to national reconciliation and fostering of social cohesion.

3.1.1 It is expected that the implementation of the policy will bring about a positive socio-economic impact as well as benefit the heritage resources sector in so far as it seeks to ensure the:

- (a) Promotion of heritage collections, heritage management and protection of these resources.
- (b) Restoration of sites, monuments and repackaging of these products to promote cultural tourism through increased activities that will grow the economy.
- (c) Increased universal access to heritage resources to give effect to the principle of inclusivity and social cohesion, fostering national reconciliation, development of a national identity, social cohesion and fostering of local community pride, leading to provincial and national pride.
- (d) Creation of platforms that promote education and indigenous knowledge systems which will lead to sustainability of heritage resources.

#### **4. LEGISLATIVE FRAMEWORK AND GUIDING PRINCIPLES**

##### **4.1 Legislative Framework**

The Department of Sport, Recreation, Arts and Culture (DSRAC) is the custodian of heritage in the province and derives its mandate from the following legislation:

##### 4.1.1 Constitution of the Republic of South Africa, 1996

Section 195 of the Constitution states that the department is required to adhere to the basic values and principles governing public administration as enshrined in this section.

Schedule 5 gives functional areas of exclusive provincial legislative competence and for the department, this is stated as the department being responsible for:

- Provincial arts and cultural matters (including heritage resources and geographical names).

- Archives other than national archives.
- Libraries other than national libraries.
- Museums other than national museums.
- Provincial recreation and amenities.
- Provincial sport.

#### 4.1.2 National Heritage Resources Act no. 25 of 1999

This legislation give power to the Member of the Executive Council responsible for heritage matters, to appoint a Council for the Eastern Cape Provincial Heritage Resources Authority (ECPHRA) that would advise him/her on heritage matters.

#### 4.1.3 National Heritage Council Act no. 11 of 1999

The department is required to coordinate activities related to funding projects that the NHC is conducting in the province and is required to nominate a provincial representative to the National Heritage Council.

#### 4.1.4 Eastern Cape Provincial Heritage Act no. 9 of 2003

This legislation is responsible for managing heritage resources in the Eastern Cape province, including identifying, documenting, and assessing heritage resources in the province.

## 4.2 Guiding Principles

The following principles will guide the implementation of this policy:

- 4.2.1 **Non-racialism and non-sexism:** The principle of non-racialism and non-sexism are critical and are key tenants to creating a socially cohesive society. A commitment to the provision of services without regard to race, ethnicity, or sex. Consideration will be made to ensure that the programmes and interventions that are implemented towards the realisation of this policy are racially and gender sensitive.
- 4.2.2 **Multi-culturalism:** The policy recognises that the South African nation includes many cultures, who speak different languages that are officially recognised by law. The different cultures therefore all deserve equal recognition. Through this policy, mutual respect, multiculturalism, and diversity will therefore be encouraged. Care will be taken to ensure that recognition and development of all the official languages of the province is promoted according to the wishes and needs of the communities in which the museums and heritage resources are located.

- 4.2.3 **Access and equity:** Promotion of access by all persons and communities in the province and for them to have equal rights of access to the services provided is another fundamental principle that will guide its implementation.
- 4.2.4 **Democratic accountability and redress:** A commitment to participation of civil society in governance structures in a democratic and accountable manner. The correction of historical imbalances through development, education, training and affirmative action.
- 4.2.5 **Freedom of expression:** The right to express ideas in exhibitions and programmes without victimization or censorship, within the bounds of the Constitution and policies of government.
- 4.2.6 **Nation building:** A commitment to develop a sense of nationhood, based on mutual respect and tolerance of all the cultures that make up the nation, to counter the effects of balkanisation.
- 4.2.7 **Transformation:** The transformation of programmes, policies and structures of institutions that once reflected and underpinned apartheid is crucial if they are to fulfil their new role in a democratic society. To utilize resources in such a manner as to build the capacity of institutions and communities to promote development and establish sustainability.

## 5. POLICY PROVISIONS ON THE MANAGEMENT OF HERITAGE RESOURCES

Local and provincial governments have a vital role to play in heritage management and have been included as major role players in the National Heritage Resources Act (NHRA) of 1999. The management of heritage resources is a statutory core function of local and provincial governments with their roles defined in the Act.

South African Heritage Resources Authority (SAHRA) is responsible for heritage resources of special national significance, that is, Grade 1 heritage resources. SAHRA is required to manage resources when provinces and local government do not have the capacity to look after their own.

While the Eastern Cape Heritage Resources Authority (ECPHRA) is responsible for heritage resources of significance within the context of a province or region, that is, Grade 2 heritage resources. One of the most important provisions of the National Heritage Resources Act is the 60 - year rule, that is section 34(1) of the Act. This calls for the authorisation of any proposed alteration or demolition of structures older than 60 years by the responsible heritage resources authority. The function pertaining to the 60-year rule falls within the sphere of provincial competence and is performed by a provincial heritage authority. Local authorities

are therefore responsible for the identification and management of heritage resources with local significance, and their role in preservation of heritage resources under their jurisdiction is crucial. Special local authority consent is also required for any alteration or development affecting sites listed in the provincial heritage register.

Further, a local authority may, by notice in a provincial gazette, designate any place as a heritage area on the grounds of its cultural or environmental interest. The NHRA places responsibility for ensuring the effective implementation of this protection mechanism with local authorities.

The local authority must provide for a protection of a heritage area through the provisions of its planning scheme, or bylaws under section 31(7)) of this Act. Special local authority consent is required for proposed alterations to or development of a heritage area.

### **5.1 Promotion of Our Heritage to World Class Heritage**

- a) In an increasingly globalised world, only provinces and cities with a strong sense of place will stand out and succeed. Our cultural heritage and physical heritage create a sense of place, promoting local identity in an overall climate of globalisation, and ensuring that a place has historic depth, interest, image and meaning. World class cities are those which provide high quality and desirable environments which are locally distinct yet globally acceptable. In other words, a sense of place becomes a distinguishing factor for world class status.
- b) The Eastern Cape's heritage creates a unique sense of place and has a critical role to play in the construction of a World Class African Space as envisioned by the leadership. Key assets from the province's past provide the elements in cultural terms, of a world class African space which is at the same time both cosmopolitan and distinctively African. Preservation of these resources becomes imperative if the Eastern Cape is to have significance of place.

### **5.2 Heritage Tourism**

- a) Cultural tourism is the fastest growing segment of the tourism industry worldwide, offering a valuable source of income and employment. For urban conservation, the value of tourism is both financial and as an impetus for awakening interest and attracting support.
- b) Tourism, managed with clear objectives, is a source of finance, both in the promotion of historic places and in encouraging and enabling conservation work. The re-use of heritage buildings for tourist functions can ensure that historic structures are restored and given a living function. Heritage tourism should thus be welcomed as a means of enabling appreciation of heritage and its safeguarding and continuity for future generations.
- c) Heritage resources could however face the danger of being permanently lost or ruined if tourism is not managed sensitively. International experience shows that irreversible

damage can be caused to historic fabric through the capitalisation of heritage for quick profits, heavy foot-traffic through sensitive areas, and hasty or insensitive restoration schemes. While reasonable accommodation should be made for the needs of visitors, the dignity of historic places must be upheld against interventions that may compromise or trivialise the significance of sites.

- d) The interests of local communities including memories and values as well as material needs, is also of prime concern. To avoid raising false expectations, the economic benefits of heritage tourism for local communities should be placed in perspective. Internationally, heritage tourists tend to visit more places, stay longer, and spend more money than other visitors.
- e) Such patterns have raised expectations that tourism can deliver economic benefits to the historically disadvantaged areas. This has led to a proliferation of heritage tourism projects in South Africa, and particularly in the Eastern Cape. If tourists get off the buses and walk the streets of an area, it is argued, they are more likely to spend money that benefits local small business. Recent experience in Soweto in Johannesburg, however, indicates that this is usually only applicable in areas that have a long tradition of tourism and offer a wide range of products and services from which tourists can choose.
- f) Despite the successful establishment of a tourism route, in general only a relatively small number of economic activities result directly to the area. The more real economic benefit is through the overall development of the area as a result of renewed interest, confidence and investment. Heritage tourism projects have been identified in various places including Port St Johns, Mthatha, Mbizana, Komani, Mdantsane, (Makhanda) Grahamstown, and (Gqeberha) Port Elizabeth to mention a few, giving rise to a range of tourism proposals. If these projects are to be sustainable, they will need to be carefully coordinated and backed by a business feasibility approach.

### **5.3 Growth and Development**

- a) Whereas cultural tourism is not appropriate for all heritage sites (or even most sites), caring for the historical environment offers a range of other economic benefits by encouraging investment, regenerating depressed neighbourhoods, and creating jobs. Heritage is widely acknowledged to have an important potential as a catalyst for development.
- b) The Eastern Cape's heritage resources shall therefore be marshalled in support of the province's long-term development goals. The challenge is not only to preserve historic resources, but also to use them as positive instruments for growth and change. The overriding mission of the Directorate of Museums and Heritage Services will therefore be to harness and develop the Eastern Cape's heritage assets in shaping the province's cultural growth and development.
- c) Historic preservation is important in terms of a range of cultural, social, and educational benefits. Preservation of the historic environment supports the social and cultural well-being of residents and contributes to civic pride. But equally, preservation should wherever appropriate also become a vehicle for achieving economic objectives

- such as growth and development, small town revitalisation, small business development and provision of housing.
- d) Viewed in purely economic terms, the benefits of historic preservation are considerable, offering an effective provincial strategy for addressing development challenges facing the Eastern Cape on several fronts. Preservation strategies can have impact positively in such areas as job creation, housing provision, small business incubation and urban renewal.
  - e) Reuse is generally more economical than demolition and redevelopment. Building rehabilitation is labour-intensive, setting off higher economic multipliers for jobs and investment than new construction or manufacturing. The rehabilitation of historic structures creates a capital asset (the rehabilitated building), which will have an ongoing economic impact through long-term use. This typically leads to a knock-on effect in the area around the rehabilitated building, restoring overall social and business confidence, creating investment opportunities, and facilitating sustainable regeneration.
  - f) Small business incubation is another major benefit, also important for job creation. Many SMMEs cannot afford to pay the high rents charged in new buildings and office parks. A rehabilitated historic building is often the answer for small businesses, offering quality accommodation at an affordable rent.
  - g) The historic environment supports viable communities by creating good quality environments where people prefer to live and work. Many historic properties are suitable for residential accommodation, often located close to jobs and amenities. For lower income communities, these buildings can offer quality of life combined with affordability and convenience. This growing market has begun to attract private investment to the city centre, as seen in the refurbishment of historical buildings to provide accommodation for lower to middle income earners.
  - h) For more affluent homeowners, refurbished heritage buildings near the city centres are also an increasingly attractive option, offering exclusive accommodation with the style and elegance of a bygone age. This promises to breathe new life into ailing buildings and boost small towns and cities regeneration. These conversions are however not without attendant risks. An increase in illegal conversions is of serious concern, with developers' by-passing both the municipalities' Building Control and the Provincial Heritage Resources Authority. Inappropriate and shoddy alterations driven by quick profits can cause irreparable damage, detracting from the heritage value of the buildings. Unless controls are exercised, buildings will increasingly be placed at risk.

## **5.4 Changing Urban Landscape**

- 5.4.1 Change and adaptation have always been central to the province's history. To meet development challenges and give vent to its own creative spirit, the Eastern Cape's post-apartheid urban landscape must continue to change. The acceptance of change is an essential parameter in heritage management. Urban management of the historic environment requires:

- (a) Collaborative decision-making involving planning, development, and heritage functions at local government level.
- (b) Balancing the needs of preservation and development, while recognising that these are not mutually exclusive.
- (c) Taking up opportunities to leverage development through creative re-use and adaptation of heritage structures and sites, and retaining cultural significance remains a primary objective. When change is being considered, a range of options should be explored to seek a course of action which minimizes the reduction of cultural significance. This should be the subject of a consultative process which affords reasonable consideration to other factors affecting the future of a place, such as the physical condition of the site, environmental constraints, and the owner's resources.
- (d) A healthy, dynamic city welcomes development including good new buildings, while at the same time drawing from the best elements of its past. The challenge is to strike the right balance between the old and the new, between creation and destruction. This calls for selective, insightful preservation, based on a clear understanding of what must be preserved and why, without trying to claim that all physical remnants matter equally or that everything should be kept and protected.

## **5.5 Town and City Revitalisation**

- 5.5.1 Development often depends on reinventing existing structures, adapting them to new uses and extending their life expectancy beyond the function for which they were created. This process of adaptive re-use provides is a key to urban renewal generally and downtown revitalisation. In considering examples of downtown revitalisation from around the world, heritage preservation almost always plays a significant role. So too in towns and cities of the Eastern Cape, heritage has been at the heart of major projects like the proposed Nelson Mandela Bay Statue, Nelson Mandela Heritage Sites, OR Tambo Garden of Remembrance and the redevelopment of other similar sites of historical and cultural significance. A positive start has been made, but to meet challenges still facing the towns and cities in the province, renewal efforts will need to be continuously refocused. The rehabilitation of province's building stock calls for special attention.
- 5.5.2 The central areas where cities such as East London, Port Elizabeth, Graaff-Reinet, King William's Town and Grahamstown were originally established have a unique concentration of historic assets which lie at the core of the province's heritage resource base. The identity of this core area is inseparable from its architectural heritage. Properly managed, this legacy of historic buildings will continue to contribute to the

overall image of the Eastern Cape and to the economic potential of the inner cities and towns.

The greatest single concentration of heritage buildings is in the CBDs, with soaring and elaborate structures which survived the mushrooming of the city centres. But older residential districts in the inner cities have a rich heritage which is all their own, with a unique character and identity, supported by buildings of human scale.

- 5.5.3 Graaff-Reinet for an example is one of the province's oldest town, with traces of early KhoiSan communities and the revolts against colonialism. While Gqeberha has a well-preserved heritage, with fine examples of the Edwardian style, and harks back to early working-class life. East London, on the other hand one of the province's prominent towns, has some of the province's oldest surviving buildings dating from the 1890s, as well as traces of history of forced removals.

Heritage resources therefore offer dynamic reference points for the renewal of these inner-city neighbourhoods:

- (a) By increasing the desirability and value of older neighbourhoods, they hold a key for unlocking the economic potential of these areas.
- (b) Local landmarks provide focal points for community development and pride the inner cities have seen widespread decay, with buildings coming under stress associated with economic decline, poverty, slumlords, and squatters. These problems remain very visible in the central area of Gqeberha, where prominent buildings have been bricked up for many years. There are however positive signs for reviving the city centre as the heritage buildings that have been identified as problematic, are few and are not beyond redemption and are therefore in satisfactory state of preservation
- (c) Problems of stagnation and decay are being addressed on a range of fronts and heritage will need to add value to this. The conservation of poorly used and decaying buildings depends on finding compatible new uses. The Better Buildings Programme (BBP), managed by the Johannesburg Property Company, is an example of an effective programme that plays a role in reclaiming and rehabilitating rundown buildings. The BBP provides a framework for securing and repairing economically marginal blocks of flats. The programme also provides for ongoing building management, upkeep, and maintenance.
- (d) The Eastern Cape should adopt this model as it is reaping fruits for the City of Johannesburg. The province shall adopt a similar model and ensure that experts in the field of heritage conservation inform the process.

- (e) The province needs to develop a system whereby signs of decay in city buildings are identified timeously before it is too late to save them. This applies to all buildings but to those that may have cultural significance and are protected by the National Heritage Resources Act.

## **5.6 Adoption of Heritage Principles**

5.6.1 The Eastern Cape must adopt heritage management principles that would guide how decisions are made in relation to its resources and these be based on promotion of their sustainability. Some of these principles should include the following:

- (a) The Eastern Cape's heritage resources are unique, finite, and irreplaceable and must therefore be conserved for future generations.
- (b) Heritage resources add value to the life and economy of the province and its towns, villages, townships, and cities, and must be integrated into the economic, environmental, and spatial planning of the various municipalities.
- (c) The role of the historic environment shall be promoted in shaping future economic and cultural development, and in reinforcing a sense of place.
- (d) Adoption and promotion of nationally and internationally accepted principles for the conservation of places of cultural significance as set out in the Burra Charter of 1999. The Burra Charter requires a cautious approach to the management of cultural sites: do as much as necessary to care for the place and to make it usable but otherwise change it as little as possible so that its cultural significance is retained. The charter sets out the need to:
  - (i) Understand the significance of heritage places.
  - (ii) Ensure that an understanding of their significance guides decisions.
  - (iii) Retain the cultural significance of the place by doing as much as necessary to preserve their fabric but as little as possible to alter it.
  - (iv) Keep records of what is done.
- (e) Distinction should be drawn between those heritage resources which must be preserved because of their special significance, and those of more limited cultural value which may be changed and developed.

## **5.7 Sustainable Heritage Management**

5.7.1 Heritage management should be in accordance with sound financial principles and good governance. The province has a duty to provide adequate funding for sustainable conservation, and such provision for heritage will be managed within the reality of available resources, finance, and capacity within them. Sound maintenance principles,

when applied to heritage, often provide the most cost-effective form of conservation, often inexpensive and usually involves the least amount of work.

Therefore, for these reasons economics and use of these resources shall be included as important parameters in decision-making around management of heritage resources.

## **5.8 Salvaging of Heritage Resources**

5.8.1 Where demolition cannot be prevented, or where a catastrophic event has occurred, salvage procedures should be undertaken. In such cases, architectural and other artefacts may be incorporated in the province aided museum collections or relocated to an appropriate site or recycled for use in other projects. It is proposed therefore that salvage of significant artefacts must always be negotiated as a condition of development.

## **5.9 Intangible Cultural Heritage (ICH)**

5.9.1 Defined as traditions or living expressions inherited from our ancestors and passed on to future generations. Also known as 'living heritage'. ICH is key is a key factor in maintaining cultural diversity. There are many kinds of ICH, including oral traditions, performing arts, social practices, rituals, festive events, knowledge, and practices concerning nature and the universe, and the knowledge and skills to produce traditional crafts.

5.9.2 The importance of intangible cultural heritage is not the cultural manifestation itself, but rather the wealth of knowledge and skills that is transmitted through it from one generation to the next. The viability of ICH depends on the continued practice by individuals, groups and community members.

5.9.3 Thus, this policy proposes that ICH should be protected through a network of communities of practice and this the department responsible for heritage and archives should be seized with implementing programmes that are geared towards salvaging, documenting, and archiving such knowledge.

## **5.10 Developing and Maintaining an Eastern Cape Heritage Register**

5.10.1 Hundreds of potential heritage sites have been identified in the Eastern Cape, but there is currently no comprehensive and authoritative listing of the province's heritage. In addition, there is no consistency in defining what constitutes heritage or what is considered significant. This leads to uncertainty and confusion in the development process, as the province and the owner does not necessarily know if a site should be considered significant.

5.10.2 The provincial heritage resources authority is required to compile inventories of all known heritage resources in the province which are considered conservation-worthy and should involve local authorities in this exercise. Such inventories should ultimately

- be developed into a comprehensive register of protected heritage resources in the province.
- 5.10.3 In an effort to ensure that heritage resources are not lost without an opportunity for further study and negotiation, permits are required from the provincial heritage resource authority in respect of alterations or demolitions to all structures older than 60 years. The resulting volumes have overstretched the limited resources, leading to bottlenecks and delays, and raising questions as to whether the 60-year policy is workable on the current basis.
- 5.10.4 One way of reducing the consignment that the heritage authority has to administer, a “safety net” function that is being proposed is through the development of a municipality’s heritage registers, i.e. an official listing of properties identified by municipal councils as having significant heritage value.
- 5.10.5 The Department of Sport, Recreation, Arts and Culture through the provincial heritage resources authority will develop a criteria that will guide the municipalities in identifying what constitutes heritage and what is considered significant. This criteria will guide what will be included in the listing or in the register.
- 5.10.6 The municipality heritage register will therefore provide for greater certainty within the heritage and development communities about what resources constitute the heritage of the town, village, or city. The register will:
- (a) Identify the towns or cities’ most important heritage resources.
  - (b) Call attention to properties of historical and architectural merit.
  - (c) Form the basis for the province’s ongoing heritage programme.
  - (d) Flag heritage sites on the towns or cities’ property information systems.
  - (e) Inform physical planning and development processes.
- 5.10.7 It is important that owners understand that the city heritage register is not a legal designation under the National Heritage Resources Act, but rather a management tool that offers long-term benefits for heritage conservation. There could, however, be implications when the owner is considering re-development. For a register-listed site a building or demolition permit may be delayed or withheld by the city while a heritage impact assessment is prepared for approval by the relevant heritage authorities.
- 5.10.8 The municipality heritage register will not in itself offer legal protection, but over time legal protection should be sought for all sites listed in the register. These sites will be recommended to the provincial heritage resources authority for inclusion in the provincial heritage roll. This will meet the city’s obligation under the NHRA to supply inventories of a city’s heritage resources to the provincial heritage resources authority.
- 5.10.9 The city heritage registers should be regularly monitored and updated, as the identification of heritage buildings and places is an ongoing process. At any time, the registers will reflect the current state of knowledge of the cities’ heritage; as that knowledge increases, so too the number of sites on the register may grow.

5.10.10 As a long-term goal, all sites listed on the city heritage registers should be documented, as time and resources permit. The priority should be given to any buildings and structures identified on the heritage register which are threatened with demolition, alteration, or neglect, in which case adequate documentation should be undertaken as quickly as possible.

In addition, identification of buildings in rural areas, to be graded, declared, and included in the heritage register must also be prioritised.

### 5.11 Assessing Cultural Significance

The Eastern Cape Heritage Register will reflect the wide range of reasons for which heritage buildings and places are valued by communities, including historical and social significance, cultural and spiritual significance, as well as architectural merit. The assessment of cultural significance should be aligned with section 3 (3) of the National Heritage Resources Act.

The chief criteria for listing a building or space in the Eastern Cape Heritage Register comprise:

- (a) Social and cultural significance - For its association with an important social pattern or belief system, and/or the esteem in which it is held by a particular group or community.
- (b) Historical significance - For its historic value in terms of a notable figure, organisation, event, or period.
- (c) Archaeological significance - For contributing to an understanding of prehistoric remains and early human settlement in the Eastern Cape
- (d) Architectural significance - For its significance in terms of a particular building type, style, period, or architect.
- (e) Aesthetic significance - For beauty or use of methods and materials which demonstrate a high degree of creative achievement.
- (f) Scientific and technological significance - For scientific, industrial, and technical innovations which were remarkable for a particular period, or which inspire and support skills development.
- (g) Group and relationship significance - For its degree of unity in terms of scale, form, materials, and other elements in relation to its setting and/or surrounding

buildings. This includes streetscapes and heritage areas where the value of the whole is greater than the sum of its parts.

- (h) Landmark significance - For its landmark significance in the community consciousness.
- (i) Fossils and meteorites - For evidence of past life preserved in geologic context which offers a tangible connection to life, landscapes, and climates of the past.

## **6. ROLES AND RESPONSIBILITIES**

The policy appropriates the following roles and responsibility to the following entities.

### **6.1 Department of Sport, Recreation, Arts and Culture**

The department should through the museums and heritage resources services provide resources and support to the to execute its legislative mandate effectively and efficiently. The department has the following responsibilities:

- (a) Ensure that the provincial heritage authority has identified, listed, and conducted research on heritage resources throughout the province for protection, preservation, and promotion.
- (b) Coordinate an integrated approach to heritage resources management across the province and ensure the competency of the provincial heritage authority to conduct heritage management duties in the province are assessed by the national heritage authority.
- (c) Monitor the provincial heritage authority's provision of heritage education and capacitation of municipalities and communities to protect, secure and maintain heritage sites.
- (d) Manage the integration of heritage management in the economic, environmental, and spatial planning of the cities.
- (e) Provide the provincial heritage authority with an environment that is conducive to effective and efficient preservation and promotion of the province's rich and diverse cultural heritage.
- (f) Monitor and evaluate governance and performance of the provincial heritage authority, and in instances where strategic intervention was needed, act accordingly.

### **6.2 Eastern Cape Provincial Heritage Resources Authority**

The provincial heritage authority has the following responsibilities:

- (a) Perform functions arising from the National Heritage Resources Act to support the protection of heritage areas, sites, buildings, and other elements which reflect the province's history.
- (b) Collaborate with the South African Heritage Resources Agency (SAHRA), the National Heritage Council (NHC), DEDEAT, ECPTA, DPWI, municipalities and relevant stakeholders regarding protection and preservation of local heritage.
- (c) Promote awareness of the value of heritage resources and the economic virtues of preservation and re-use.
- (d) Ensure that heritage resources are not lost without an opportunity for further study and negotiation, permits shall be required from the ECPHRA in respect of alterations or demolitions to all structures older than 60 years.
- (e) Compile inventories of all known heritage resources in the province which are considered conservation worthy.
- (f) Involve local authorities in the development of inventories that must be consolidated into a comprehensive register/ database of protected heritage resources in the province.
- (g) Facilitate building of new memorials and restoration of existing heritage assets to enrich the Eastern Cape's resistance and liberation heritage route in a manner that enhances the Home of Legends brand.
- (h) Monitor and coordinate the performance of the local authority that has been delegated the function and assist the local authority to manage heritage resources in its area of jurisdiction.

### 6.3 Municipalities

- a) The municipalities' building control and planning functions need to be coordinated with provincial functions with respect to permit applications for these structures which have general protection under the Act and for rezoning applications and erf sub-divisions applications.
- b) In practice, this means that, to avoid confusion and a conflict of interests, the processing by the municipalities of applications for properties in this category must be subject to the issuing first of the required permit by the provincial heritage authority.
- c) The NHRA excludes local authorities from becoming heritage resources authorities in section 2 of the Act. Powers and functions under the Act can however be devolved to the municipalities once they have been declared competent by the provincial heritage authority to carry out such a responsibility.
- d) Municipalities which have been assessed, and the competence has been established, must establish a heritage management structure not only to execute the powers and functions that are delegated by the province and must act in the spirit of co-operative government as entrenched in the Constitution.

## **7. IMPLEMENTATION OF THE POLICY**

A sector plan shall be developed to implement the goals and objectives that are advocated in this policy.

## **8. MONITORING AND EVALUATION**

The department shall continuously engage and determine the appropriate manner to monitor the impact of the policy. Development will need to occur incrementally, using programming interventions to enable systemic shifts and improvements in promoting and preserving the heritage resources management of the province.

## **9. POLICY REVIEW**

This policy shall be reviewed every (5) five years upon its date of approval in line with the MTSF period, to determine its effectiveness and appropriateness. It may also be reviewed before this time, if necessary, especially when there have been substantial changes in law.

## **10. CONCLUSION**

Heritage resources are important places or objects of cultural, historical, and environmental significance. The Eastern Cape Provincial Heritage Resources Management Policy promotes the identification, safeguarding, and preservation of the provinces heritage resources. Heritage resources promote the province's rich culture and history while strengthening identity and social cohesion.