

Cape Peninsula National Park

Heritage Resources Management Plan

STATUS REPORT

Prepared for

South African National Parks

by

Common Ground

in association with

CPNP Heritage Landscape Group
EnAct International
GISCOE

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A summary of the Status Report is available under separate cover

All reports and appendices are available on the CPNP website: www.capepeninsula.co.za

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1 INTRODUCTION

1.1 Background

Established in 1998, the Cape Peninsula National Park (CPNP) represents a unique combination of natural and cultural heritage. Nominated as a World Heritage Site, the Cape Peninsula is an integral part of Cape Town's identity. It embodies the histories and memories of the diverse cultures of Cape Town, both past and present. It represents both tangible and intangible evidence of this diversity, and reflects both shared and conflicting meanings and interpretations.

Heritage resource management has received greater attention over the past decade in South Africa with the need to rediscover and celebrate our diverse cultures. The integration of heritage resource management and biodiversity management is redefining the way in which conservation is approached within protected areas. This integration has been shown to reinforce the legal conservation and management status and significantly enhance stakeholder value of protected areas.

In the establishment of the Park, South African National Parks (SANParks) inherited the management responsibilities for a range of heritage resources. At this time the SANParks was responding to the need to effectively deal with the management of heritage resources in the context of national parks countrywide. This challenge was underscored by the promulgation of the National Heritage Resources Act¹ (NHRA), which regulates all South African places and objects of cultural significance or of other special value as part of the "national estate".

In 1999, the CPNP management commissioned the development of an Integrated Environmental Management System (IEMS)². The development of the management system included the development of a Management Policy and a Strategic Management Plan. The IEMS was also designed to be both compliant with ISO³14001, meeting the legal and management requirements of the CPNP. In tandem with the development of the IEMS, an Environmental Information System⁴ was developed. The EIS consists of a number of GIS layers and applications that organises and presents information for management. One of the key strategies of the five-year Strategic Management Plan is to compile and implement a heritage resources management plan (HRMP). In the absence of a comprehensive HRMP, the CPNP Heritage Landscape Group was commissioned by SANParks to prepare a Provisional Heritage Resources Synthesis Map and Report to the CPNP as input to the Conservation Development Framework (CDF) in November 2000. The CDF was finalised in 2001 and represents a Park-wide strategic spatial plan for physical development within the Park.

In January 2002, the CPNP management developed a terms of reference in consultation with the City of Cape Town and the South African Heritage Resources Agency (SAHRA) for the preparation of a Heritage Resources Management Plan (HRMP). The CPNP called for proposals and entered a formal tender process to adjudicate the proposals. Common Ground in association with the CPNP Heritage Landscape Group, GIMS and EnAct International was appointed to undertake this study, which is being funded by the FFEM (le Fonds Francais pour l'Environnement Mondial).

¹ Act 25 of 1999

² The CPNP IEMS, funded by the Global Environment Facility (GEF), was developed by Common Ground Consulting in association with ZIZO Systems International

³ International Standards Organisation. The 14001 standards are applied specifically to Environmental Management Systems

⁴ The CPNP EIS, funded by the GEF, was developed by the GTI Consortium.

1.2 Purpose and terms of reference of the study

The purpose of this study is to develop a Heritage Resource Management Plan that fulfils relevant legal requirements, reflects international best practice and is functionally integrated into the IEMS and EIS management tools already developed for the Park.

The overall aim of the project is therefore to:

Compile a Heritage Management Plan for the Cape Peninsula National Park that incorporates the following critical elements:

- legal review;
- review of international best practice;
- an inventory of heritage resources and associated information;
- the design, development and population of a spatially referenced digital database;
- the development of guidelines and ISO 14001 procedures; and,
- a legitimate public participation process.

The objectives of the project are to:

- develop a heritage resources management plan that complies with the ISO 14001 accreditation criteria of the South African Bureau of Standards (SABS);
- build on existing CPNP policies and information, e.g., South African National Parks' Corporate Plan, Initial Environmental Impact Assessment (EIA) for the National Park's Cape Peninsula Biodiversity Project, the Integrated Environmental Management System (IEMS) and the CPNP Conservation Development Framework (CDF);
- develop a Heritage Resources Plan that can evolve together with the CPNP as a growing National Park; and,
- develop a plan that retains the critical support and ownership of all stakeholders.

1.3 Phases of work and related products

The following provides an overview of the phases of work and related products. Refer to Appendix 1 for a description of the intended stakeholder involvement process.

Phase 1: Project set-up and review

Products of Phase 1:

- Status Report incorporating:
 - international best practice, legal and data management reviews;
 - draft GIS requirements document and draft conceptual database design;
 - methodology for the determining and recording significance of heritage resources;
- preliminary stakeholder database;
- establishment of Authority Reference Group; and,
- text-based web sites for stakeholder participation (for individuals and groups).

Phase 2: Identification and Confirmation of Heritage Resources

Products of Phase 2:

- an interim inventory of heritage resources;
- accessible report for stakeholders;
- a set of spatially referenced digital layers;
- a heritage register; and,
- maps and diagrams representing heritage resources. These will also be available via interactive web pages.

Phase 3: Development of Management Plan and Database

Products of Phase 3:

- A Draft Management Plan with procedures, protocols and data management system.

Phase 4: Synthesis

Final Project Products:

- completed Heritage Management Plan;
- user web interface;
- updated user manual; and,
- integration of procedures into the CPNP Integrated Environmental Management System.

1.4 Stakeholder involvement

Four key groups of stakeholders will be engaged in the process of developing the HRMP: CPNP staff and management via an internal reference group, relevant authorities via an authorities reference group, heritage specialists via peer review and organised civil society groups through public events communications and one-on-one interactions.

The broad stakeholder grouping will be engaged in identifying, determining the significance and advising on the management of heritage resources in the Park. Heritage authorities/agencies will assist the team and the CPNP in ensuring that the HRMP and its register conform to accepted national and provincial standards. All other relevant authorities will be engaged to enable consistency and co-operation in the management of heritage resources on the Cape Peninsula. Refer to sections 4, and 7 (and Appendix 1) for further detail on the stakeholder analysis and stakeholder involvement process and database.

1.5 Purpose of this report

The purpose of this report is to present the findings of the first phase of work and to engage relevant stakeholders in developing a common understanding of the status quo and the requirements for the Heritage Resources Management Plan.

1.6 The study team

The CPNP park personnel that are working as part of the project team include:

Paul Britton, Manager Planning and Development, project manager

Stephen Hulbert, Manager Marketing and Communications, project advisor

The consultant team is made up of the following consulting professionals:

Marlene Laros, Common Ground Consulting, project leader

Shawn Johnston, Common Ground Consulting, process design and facilitation

Henry Aikman, CPNP Heritage Landscape Group, heritage specialist

Antonia Malan, CPNP Heritage Landscape Group, heritage specialist

Nicolas Baumann, CPNP Heritage Landscape Group, heritage specialist

Terry Winstanley, EnAct, legal specialist

Belinda Bowling, EnAct, legal Specialist

Helen Dagut, EnAct, legal specialist

Len Gardner, GIMS, information management systems specialist

Grant Benn, GIMS, GIS specialist

1.7 External institutional considerations for the development of the HRMP

At national, provincial and local level, the institutional context is a particularly challenging one. As further detailed within the Legal Review⁵ the provincial and local heritage management authorities are in the process of being established in terms of the NHRA. While Heritage Western Cape Council members have been appointed, the full management and administrative capacity are yet to be established. The Council awaits the promulgation of further regulations which will enable it to perform its functions under the NHRA. It is the primary responsibility of these local and provincial authorities to classify and manage heritage resources, not that of SANParks. Consequently, the development of the CPNP HRMP and associated heritage inventory will need to be undertaken in close co-operation with relevant authorities, and attempt to ensure consistency with related initiatives (see below).

Heritage management and assessment is a growing professional field in South Africa in which there have been varied approaches. Conflicting opinions on best practice and the application of the NHRA within and outside of the professional bodies are to be addressed in the formation of an Association of Heritage Assessment Practitioners as well as a standardised approach to heritage planning and assessments required in terms of the legislation.

1.8 Related initiatives

The South African Heritage Resources Agency (SAHRA) is establishing a South African Heritage Resources Survey to co-ordinate a national strategy for the identification of heritage resources. This will culminate in a national heritage resources register system. This initiative is still in its early stages of development and it is likely that the CPNP Heritage Resources Management Plan will need to be developed in parallel with this system, while attempting to conform to it and influence its development.

The CPNP is also undertaking in parallel a number of detailed planning exercises for specific precincts within the Park. All of these studies are required to deal with heritage resources within the planning and assessment phases of the process. These individual initiatives are reviewed in more detail in Section 2.

The City of Cape Town (CCT) is undertaking a number of planning initiatives, which have a direct and indirect relationship to the development of the heritage resources management plan. These are discussed below:

1.8.1 City of Cape Town's Draft Heritage Resources Management Policy

The City of Cape Town is currently developing a heritage resource management policy. This policy now exists as a draft document and has been circulated for peer review.

1.8.2 Criteria for the assessment of heritage resources for inclusion in the national estate

ACL urban renewal and heritage consultants were appointed to develop a rational set of criteria from the many systems currently in use nationally and internationally. This work will be of great relevance to the current work programme as consistency in assessment processes is important.

1.8.3 Grading system for places and objects forming part of the national estate

This closely related study also being undertaken by ACL for the CCT is designed to develop a rationale for refining the currently varied grading systems in use and to develop criteria for grading significance. Again, this will provide valuable input into the HRMP.

1.8.4 Environmental sensitivity mapping programme

The CCT (CMC Administration) has undertaken an extensive programme to map environmental sensitivity. Heritage resources as visual resources were mapped as well. This data will inform the development of the CCT heritage database being developed as a precursor to a heritage register.

1.8.5 Peninsula urban edge: determination of management zones and related guidelines

In August 2001, the City of Cape Town adopted as policy three urban Edge studies, *inter alia* the Peninsula Urban Edge Study. These studies had grown out of the Metropolitan Spatial Development Framework (MSDF). Given the complexity of the Peninsula, management zones for the urban transition zone and non-urban zone related to them were not determined. Consultants Aikman Associates were undertaking the programme and have determined detailed management zones and related guidelines for them have been produced for internal comment.

Heritage resource management is one of the many factors involved in the determination process. The linkages between heritage resources within the CPNP and outside are of critical importance.

1.8.6 Santam/Cape Argus Ukuvuka Operation Firestop: natural interface study

This study is one of a number being undertaken as part of this campaign that was launched in response to the fires of January 2000, which burnt in excess of 8000 ha of vegetation. The project team has reviewed existing fire risk management tools and national and international best practice. They are currently preparing planning, environmental and engineering guidelines for development in what is referred to as the urban/natural interface on the Peninsula Mountain Chain.

The heritage management implications are related to the visual impact of firebreaks for example, the proposed removal of trees and the development of fire fighting road and path networks.

1.8.7 Heritage by-law

The CCT Heritage Resources Unit is developing a programme which is designed to lead to the adoption of a Heritage By-Law. It involves a review of international best practices and policy, the development of regulations and guidelines and mapping. The applicability of the by-law's within the CPNP is being examined.

1.8.8 Heritage guideline pamphlets

A series of pamphlets is being prepared by various specialists for the CCT. This is seen as an ongoing programme and will provide a useful information resource for the CPNP.

1.8.9 Land restitution

The CCT is working closely with central government on restoring land to communities displaced by apartheid. Two communities on the borders of the CPNP are affected: Red Hill and Protea Village.

1.9 The structure of this document

Section 1 provides the background to the study, the terms of reference, the team, context and related initiatives.

Section 2 presents a discussion of the definition, nature and types of heritage resources.

⁵ Legal Review: Identification and description of the legal obligations of South African National Parks in respect of the

Section 3 presents an overview of the current heritage resources management practice in SANParks and the CPNP, focusing specifically on heritage planning and assessment to date, as well as reviewing the current institutional capacity.

Section 4 presents a stakeholder analysis in preparation for the stakeholder involvement process.

Section 5 provides a summary of the legal review, highlighting the rights and obligations of the CPNP.

Section 6 presents a summary of international best practice review.

Section 7 draws together the findings of this review and summarises the requirements for the development of the HRMP. This includes key considerations for co-operation with relevant authorities, the stakeholder involvement process, the methodology for determining significance and the requirements for the heritage register. Finally, a preliminary list of procedures/protocols for inclusion in the IEMS is presented for consideration.

The database design for the information management system for heritage management is included as Appendix 4.

2. WHAT ARE HERITAGE REOURCES?

2.1 Introduction

The cultural historical environment of the CPNP is all the evidence for past and evolving human activity, and its associations, that people can understand, see and feel in the present world.

- It is the habitat that communities have shaped through conflict and co-operation over thousands of years, the product of human interaction with nature.
- It is all around us as part of everyday experiences and life, and it is therefore dynamic and a continual counterpoint to the urban life of the city; a place of reflection and refuge in the heart of the city. It thus has a strong symbolic and intangible dimension, both in whole and in parts. It is complex to understand and impossible to measure.

At one level, it is made up entirely of places such as pristine, rural and adapted areas; of cultivated landscapes, plantations, forests, designed spaces, paths and avenues, views from and towards; and objects or things such as dams, buildings; buried sites and deposits. At another level the cultural historical environment of the Park is something people inhabit, both physically and imaginatively.

Communities and individuals have fundamentally different views of the cultural-historical environment of the CPNP. It is a contested space, characterised by multiple meanings and interpretations. It is something to be argued about and debated, not simply passed on uncritically to future generations. The following outlines the definition of heritage resources, their nature and type.

2.2 How are heritage resources defined?

The National Heritage Resources Act recognises the need to affirm the diverse cultures within South Africa, and to encompass the cultural heritage of Africa as well as of the colonial past. The first step in enabling this is in the definition of heritage resources.

Places or objects of aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value have cultural significance in terms of the NHRA. They form part of the national estate if they have cultural significance or other special value because they:

- have importance in a community or pattern of South Africa's history;
- possess uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- have potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- are important to demonstrate the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- are important to exhibit particular aesthetic characteristics valued by a community or cultural group;
- are important to demonstrate a high degree of creative or technical achievement at a particular period;
- have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- have a strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; or,
- are sites of significance relating to the history of slavery in South Africa.

The NHRA provides a non-finite list of examples of the kinds of places and objects which may be included in the national estate, for example historical settlements and townscapes and archaeological and palaeontological sites.

It is important to note that South African definitions of heritage resources include natural and cultural heritage. The UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972 (“the World Heritage Convention”) uses the following definitions for cultural and natural heritage:

“**cultural heritage**” is defined as:

“monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;

groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;

sites: works of man or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view”;

“**natural heritage**”, on the other hand, is defined as:

“natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;

geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation;

natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.”

2.3 The nature and types of heritage resources

In accordance with Section 3 (2) of the NHR Act heritage resources may include:

- buildings, structures and equipment of cultural significance.
- places associated with living heritage;
- historical settlements and townscapes;
- shipwrecks;
- landscape and natural features of cultural significance;
- graves and burials;
- archaeological and palaeontological sites;
- geological sites; and,
- sites relating to the history of slavery.

Heritage resources exist at different scales from broad landscapes, both natural and adapted, such as townscapes and planted landscapes, to individual places, such as buildings and which have significance in their own right, contribute to the heritage value of a broader area or have linkages to other places. For example, the system of pipes and dams within the Van Riebeeck Park is part of the history of the water

supply system in Cape Town. Furthermore, heritage resources have different spatial manifestations. They may take the form of an area or region, such as a landscape, a point, such as an individual building or farm complex or the form of a line, such as a boundary or route. A heritage resource may also take the form of a defined space, such as a public park.

Heritage resources include tangible resources, such as a historical structure, archaeological site or landscape feature. Heritage also includes intangible aspects of culture, such as cultural tradition, oral history, performance, ritual and popular memory, which may be associated with a place. In similar respects, a heritage resource may provide physical evidence of the past or may have associations with an event, person or living heritage for which there is no remaining physical evidence, either visible or buried.

The heritage value of a place should include known and potential value. The heritage value of a place is often unknown. In the case of archaeological sites, these are largely hidden. In a case such as the CPNP where no detailed heritage survey has been undertaken of the area, the heritage value of a place will be based largely on potential value. The concept of potential value has relevance in a case where a heritage resource has been damaged, but in a manner which is reversible. It also has implications in terms of heritage management, namely the need to reveal and enhance the potential heritage value of a place.

The categories of heritage resources shown above are important in terms of their ability to relate to various themes reflecting broad patterns and aspects of South African and Cape history within the South African context. These themes are identified as follows:

- slavery
- water
- technology
- recreation
- ornament
- cultivation and production
- displacement
- religion
- refuge
- primeval
- fortification
- scenic beauty

BOX 1: CATEGORIES OF HERITAGE RESOURCES	
<p>LANDSCAPES</p> <ul style="list-style-type: none"> • natural landscape • pre-colonial landscape • planted landscapes • productive landscape • townscapes and historical settlements • scenic landscape. <p>BUILDINGS AND ASSOCIATED STRUCTURES</p> <ul style="list-style-type: none"> • farmsteads • residential building • industrial building (see industrial infrastructure below) • commercial building • military building (see military installations below) • institutional buildings • public buildings • religious building (see religious site below) • associated structures may include outbuildings, boundary walls, gate pillars, approach roads, outbuildings, etc. <p>LANDSCAPE FEATURES</p> <ul style="list-style-type: none"> • farm boundaries • significant tree groupings or alignments • mountain peaks and ridgelines <p>GEOLOGICAL SITES</p> <ul style="list-style-type: none"> • caves • exposed geological surfaces and intrusions <p>MEMORIALS</p> <ul style="list-style-type: none"> • monuments • plaques • benches <p>MILITARY INSTALLATIONS</p> <ul style="list-style-type: none"> • forts • batteries • signal/radar stations • cannon sites <p>INDUSTRIAL INFRASTRUCTURE</p> <ul style="list-style-type: none"> • dams/reservoirs and associated water reticulation systems • quarries • mines • mills and mill races • wash houses • irrigation systems • forestry related infrastructure <p>GRAVES AND BURIAL GROUNDS (SEE RELIGIOUS/SPIRITUAL SITES BELOW)</p> <ul style="list-style-type: none"> • kramats • Christian graves • Indigenous burial sites • Chinese burial grounds • Other 	<p>ROUTES</p> <ul style="list-style-type: none"> • footpaths • roads <p>RELIGIOUS/SPIRITUAL PLACES (SEE LIVING HERITAGE SITES BELOW)</p> <ul style="list-style-type: none"> • Churches • Mosques • African Zionist gathering places • Graves and burial grounds <p>PLACES OF DISPLACEMENT</p> <ul style="list-style-type: none"> • Slavery sites • sites associated with Group Areas <p>LIVING HERITAGE PLACES</p> <ul style="list-style-type: none"> • places to which oral history is attached • places to which rituals are attached • places to which traditional performances are attached • places to which popular memory is attached <p>SYMBOLIC PLACES</p> <ul style="list-style-type: none"> • Landmarks • Landscapes <p>RECREATIONAL SITES</p> <ul style="list-style-type: none"> • active recreational sites such as playing fields, parks, cable stations • passive recreational sites such as footpaths, beaches • shade trees • picnic sites <p>SCENIC SITES</p> <ul style="list-style-type: none"> • view sites • scenic routes • scenic landscapes • focal points <p>ARCHAEOLOGICAL/PALAEONTOLOGICAL SITES</p> <ul style="list-style-type: none"> • fossil sites • cave sites • open sites • shell middens • historical middens • fish traps • structural remains <p>SHIPWRECKS</p> <ul style="list-style-type: none"> • sailing vessel • motor vessel • steamship • fishing vessel • cargo vessel • freighter vessel • barge • oil tanker

3. HERITAGE RESOURCE MANAGEMENT IN THE CAPE PENINSULA NATIONAL PARK

3.1 South African National Parks' approach to heritage management

Since 1996, South African National Parks have been committed to integrating cultural heritage into the management of national parks. This is clearly articulated within the SANParks Corporate Plan, which states that cultural heritage resources are to be identified within Parks and that strategies are to be devised in collaboration with local communities to manage these resources.

The Social Ecology department within SANParks developed a Cultural Heritage Manual (1999) for use by social ecologists, which focuses on:

- the use of cultural management within the context of economic development and benefits to surrounding communities;
- capacity building as a component of cultural management; and,
- planning as a cultural management tool.

While this manual is helpful at a local level it appears to assume that the Park would have already met the basic legal requirements for heritage management in South Africa. Beyond the policy directives of SANParks and tools such as the abovementioned manual, each Park is required to develop management plans that cater specifically for the needs of its particular context. In this regard, the CPNP is one of the most advanced with respect to the development of its IEMS, Management Policy, Strategic Management Plan, EIS and Conservation Development Framework, as well this current process of developing a Heritage Resources Management Plan.

3.2 The Integrated Environmental Management System (IEMS)

The CPNP's IEMS has been developed to comply with ISO14001, which includes the need to meet relevant legislative requirements. The system comprehensively addresses these requirements accommodating proactive strategic and annual planning as well as operational impact management (including the continual updating of an impacts register), training, monitoring, audit and review.

The IEMS is served to users across the CPNP network server utilising locally developed software. Currently there are no specific heritage resource management procedures included in the system beyond those that deal specifically with environmental impact assessment (EIA) processes for physical development within the Park. These EIA procedures were designed to meet the requirements for heritage impact assessment as part of an EIA process required by the Environmental Conservation Act. The CPNP has committed itself to applying best practice for environmental evaluation for all proposed development. Heritage management procedures identified through the HRMP process will be incorporated into the IEMS. See section 7 for a preliminary list of required procedures identified.

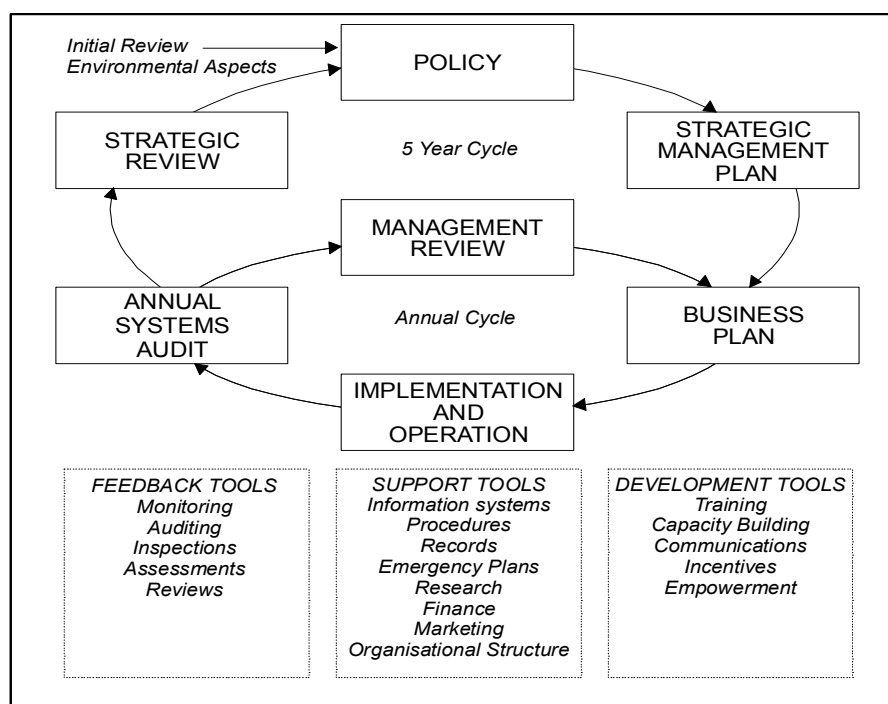


Figure 1: Structure of the Integrated Environmental Management System (IEMS)

3.3 CPNP Management Policy

The Management Policy⁶ complies with the legal requirements identified in the Legal Review and is also seen as reflecting international best practice. The objectives of heritage management are integrated throughout the policy document within relevant themes. Theme 4 deals specifically with cultural heritage.

Theme 4: Cultural heritage

“Cultural Heritage Resources include the tangible and intangible elements of both the built and natural environment e.g., archaeological sites and historical artefacts, buildings, landscapes, music, spiritual beliefs and folklore.

Goal 4: To facilitate the conservation of cultural heritage through the expression of diverse cultural identities in the Park.

Objective 4a): To rediscover, rehabilitate and nurture cultural heritage resources, especially where these have been suppressed and neglected.

- i) Park Management shall, in collaboration with stakeholders, identify, research, evaluate and document information on tangible cultural heritage resources associated with the Park.*
- ii) Park Management shall, together with other government institutions and stakeholders, ensure the protection and effective management of existing tangible and intangible cultural heritage resources.*
- iii) Park Management shall, in collaboration with other government institutions and stakeholders, strive to restore and rehabilitate tangible cultural heritage resources.*
- iv) Park Management shall strive to include areas of cultural heritage significance within the CPPNE in the Park.*
- v) Park Management shall seek and take account of expert and academic, as well as traditional and ordinary, knowledge to guide the specific conservation strategies required for cultural heritage resources.*

⁶ Cape Peninsula National Park Integrated Environmental Management System: Management Policy, 2000.

Objective 4b): *To encourage the expression and celebration of the diverse cultures and spiritual significance associated with the Park and to facilitate the recognition of the cultural linkages of the Park with surrounding communities.*

- i) Park Management shall seek to identify and make accessible to surrounding communities, benefits arising from the conservation of the cultural heritage related to the Park.*
- ii) Park Management shall explore mechanisms to link cultural heritage resources of the Park with those related to the Cape Peninsula and its context.*
- iii) Park Management shall facilitate the development of interpretative materials, methods and facilities that effectively communicate and develop an appreciation and respect for the range of diverse cultures and spiritual significance associated within the Park.*
- iv) Park Management shall integrate cultural heritage management into the biodiversity management, visitor management, awareness raising, research and monitoring aspects of its management of the Park.*

Objective 4c): *To conserve and restore natural and cultural landscapes and scenic resources of the Park.*

- i) Park Management shall, in collaboration with relevant authorities and stakeholders, strive to prevent developments and the erection of structures that detract from the scenic integrity of the Park.*
- ii) Park Management shall, in collaboration with relevant authorities and stakeholders, strive to restore natural and cultural landscapes and scenic views.*
- iii) Park Management shall, in collaboration with relevant authorities and stakeholders, seek to mitigate impacts on scenic and cultural landscapes.*

Two critical areas of potential conflict, namely alien plant clearing and physical development in the context of cultural heritage resources are dealt with directly in themes 2 (Biodiversity), and 5 (Conservation planning and development) respectively. The following are extracts from relevant sections of the Management Policy:

Theme 2: Biodiversity⁷ (species, ecosystems, ecosystem processes and landforms)

Goal 2: *To ensure the long-term conservation and rehabilitation of the biodiversity of the Park*

Objective 2d) *To manage invasive plants and alien non-invasive plants.*

- v) Park Management shall, together with relevant stakeholders, develop a strategy for managing non-invasive alien plants, particularly in the context of historical landscapes and recreational areas.*

Theme 5: Conservation Planning and Development

Goal 5: *To ensure that physical conservation planning and development of the Park maintains and enhances the integrity of ecological, cultural and scenic resources, enables financial sustainability of the Park, and is integrated and co-ordinated with the development and planning of the surrounding Cape Metropolitan Area.*

Objective 5a): *To plan proactively and strategically, in collaboration with relevant local, provincial and national authorities and stakeholders, for any potential development within, or affecting, the Park.*

- vii) Park Management shall, in collaboration with local, provincial and national authorities and stakeholders, take proactive steps to conserve cultural heritage resources.*

3.4 CPNP Strategic Management Plan 2000 - 2004⁸

The CPNP Strategic Management Plan includes the following specific strategies and actions for managing cultural heritage resources for implementation between 2000 and 2004, many of which will be initiated or developed through the development of the HRMP:

⁷ Biodiversity is defined in the Management Policy as: "the number and variety of species and animals, the genetic variability within species, and the diversity of habitats and ecosystems, including landforms".

⁸ Cape Peninsula National Park Integrated Environmental Management System: Strategic Management Plan, 2000 - 2004

Strategies	Actions
1. Identify, research and document information on tangible and intangible cultural heritage resources associated with the Park	a) Form a cultural heritage working group b) Audit tangible and intangible heritage resources c) Collect and document oral information d) Develop a framework for interpretation e) Facilitate research programmes f) Compile a comprehensive spatial and non-spatial database on cultural heritage resources
2. Manage tangible and intangible cultural resources	a) Audit tangible and intangible heritage resources b) Take steps to manage impacts on tangible cultural resources c) Identify priorities for restoration, stabilisation and rehabilitation, and integrate with CDF and local area plans d) Restore priority sites
3. Develop materials, methods and facilities that develop an appreciation and respect for the diverse cultures and spiritual significance associated with the Park	a) Identify and prioritise the development of education facilities and materials b) Develop educational materials and facilities

3.5 The provisional heritage synthesis map and report

During the process of developing the CDF, the CPNP Heritage Landscape Group was appointed to provide heritage resource management input to the professional team. The product that emerged includes a provisional heritage resources synthesis map as well as recommendations for management of heritage resources within the CPNP. This work informed the development of the Conservation Development Framework and provides a significant foundation to the HRMP. The CPNP views the recommendations and the map as provisional pending the development of the HRMP. The Provisional Heritage Resources Synthesis Map is provided in Figure 2 (scanning from hardcopy has resulted in loss of quality and detail).

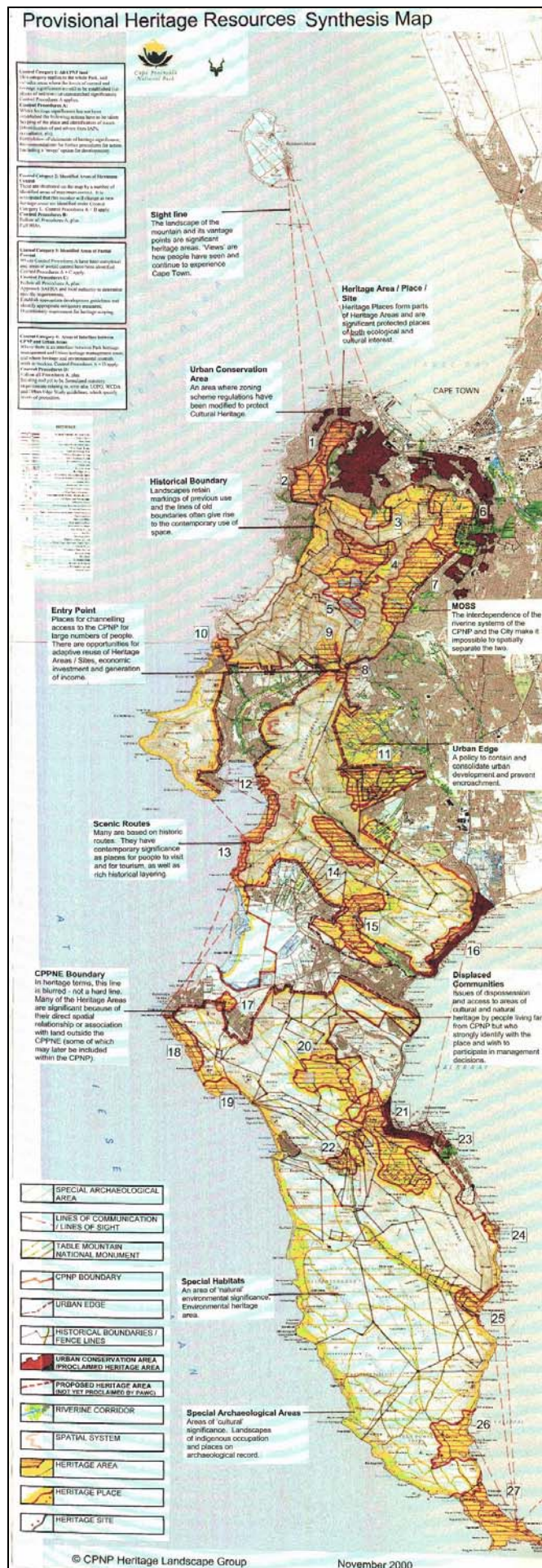


Figure 2:
Provisional Heritage Resources
Synthesis Map

3.6 Physical planning in the Park

The following reviews the integration of heritage resource management in the current physical planning practice within the Park. As the Conservation Development Framework is the strategic level planning guideline for the Park, this is dealt with in some detail.

3.6.1 The Conservation Development Framework (CDF)

The Conservation Development Framework⁹ for the Cape Peninsula National Park aims at establishing the spatial basis of the Park's Management Policy. It address the following issues:

- How to integrate the recently established Park with surrounding activities and land uses in the Cape Peninsula;
- How to reconcile urban development with the imperatives of ecological, cultural and scenic resource conservation within the Cape Peninsula;
- Where and what level of Park visitor facilities should be established across the Cape Peninsula; and,
- How visitor access should be managed.

The CDF is an overarching spatial framework through which diverse conservation and development initiatives in and surrounding the Park can be guided and co-ordinated. As the overall spatial plan for the Park, the CDF addresses each of the CPNP Management Policy's 11 key action areas.

The following section presents the CDF and the planning and management status of heritage sites associated with proposed physical development in the Park. The CDF use zone map is included as Figure 3. Two key components of the CDF, the Use Zones and hierarchy of Visitor Sites are discussed below in terms of their implications for heritage management policy and practice.

3.6.1a) Use zones

The CPNP's Management Policy 2000, determined in broad terms the principle of "limits of acceptable change". The CDF's proposed Use Zones serve the following purposes:

- They reflect the range of activities and experiences, which should be accommodated within the different functional areas of the Cape Peninsula.
- They provide specifications for management on what are the desired resource and social conditions to be maintained or restored in different functional areas of the Park.
- They provide a means of ensuring overall land use compatibility between the natural and built environments of the Cape Peninsula (in accordance with biosphere planning principles).
- They provide a point of departure for building consensus between diverse public and private role-players on a co-ordinated approach to the management of the Cape Peninsula's built and natural environments.

The characteristics of each zone are defined and guidelines for control of development, construction, interpretation and access are provided. The multipurpose use of the Park was acknowledged and a range of activities for each Use Zone was also identified (see CDF Map Figure 3). The Use Zones defined are: Remote Zones; Quiet Zones; Low Intensity Leisure Zones; and, High Intensity Leisure Zone.

⁹ The CDF (2001), prepared for SANParks by Settlement Planning Services, was the culmination of a process of engaging Park stakeholders in planning for the conservation and development needs of the Park. It was approved by the SANParks Board on 27 June 2001 and provides the basis for all the Park's physical planning actions over a five-year period (2001 – 2006).

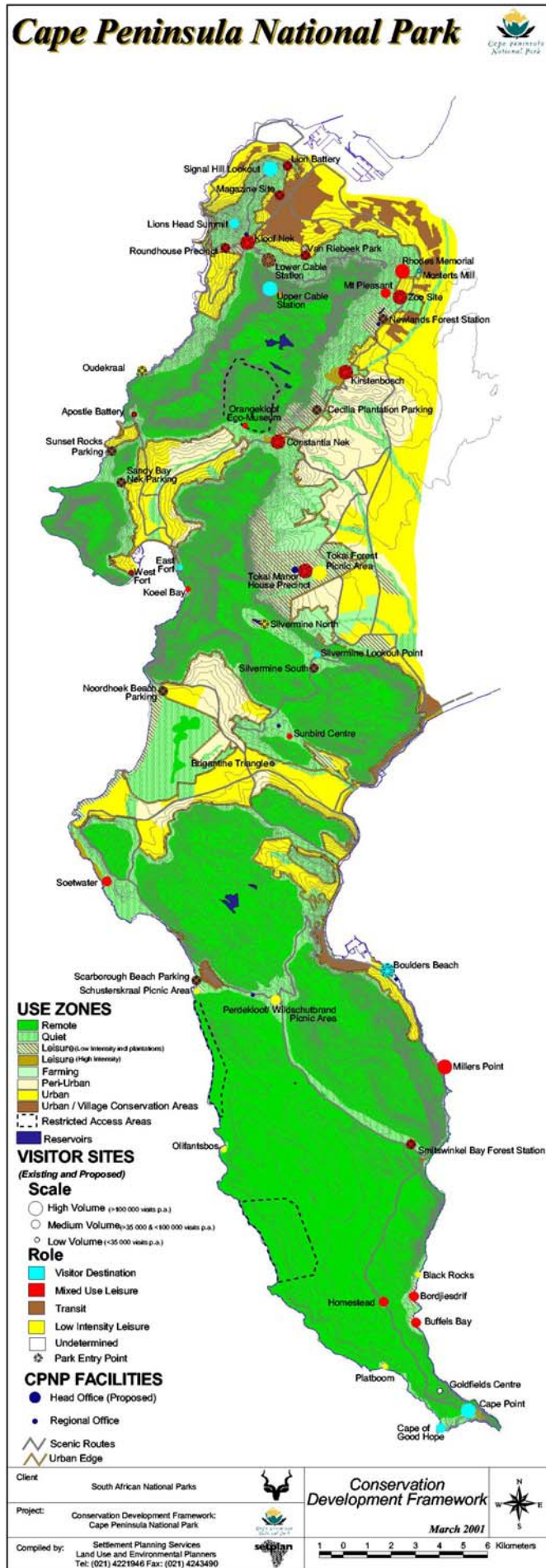


Figure 3:
Conservation Development Framework Map

i) Remote zones

Most of the Park is designated as a Remote Use Zone. The CDF defines the three key characteristics of this zone as:

- Core natural area of the Cape Peninsula;
- Areas where human presence and impact is unobtrusive and subservient to that of nature; and,
- Relatively inaccessible pristine areas that provide refuge from the City.

ii) Quiet zones

The separation of cultural and natural resources is made again in the guide to this use zone. The key characteristics are:

- Zone of transition;
- Place of quietness and naturalness;
- Buffer between built and natural environments;
- Used for a variety of recreational activities;
- Infrastructure in place for human use; and,
- Relatively frequent contact with other users.

iii) Low intensity leisure zone

The Low Intensity Leisure Zones are the well patronised areas of the CPNP that:

- Are disturbed landscapes (such as commercial plantations) where natural ecological processes have been fundamentally altered;
- Are accessible, safe, natural areas in which people can relax;
- Provide designated localities where leisure and recreational activities take place outside the urban edge;
- Accommodate a spectrum of leisure and recreation activities that are in keeping with the biophysical, cultural and scenic attributes of their context; and,
- Reduce pressure on the more ecologically sensitive Quiet and Remote zones.

iv) High intensity leisure zone

High Intensity Leisure Zones are similar in function to the Low Intensity Leisure Zone, but here more concentrated human activities are accommodated. High Intensity Leisure Areas are generally accessible by motor vehicle, and form the basis for access into other use-zones. They are:

- Areas near the base of the mountain;
- Resilient disturbed terrain, and transformed landscapes, such as forests;
- Plantations;
- Areas where various forms of access is possible, including motor vehicles;
- Car parks; and,
- Areas where appropriate facilities exist.

3.6.1 b) Interpretation of Use Zones in heritage resource management

While the Provisional Heritage Resources Map informed the development of the CDF, the following issues require specific attention in the interpretation of the Use Zones.

The descriptions of the Use Zones may create the impression that areas described as “natural” or relatively “pristine” are not significant from a heritage perspective. This is an incorrect perception as it is inconsistent with current law. Significant heritage resources may exist in what appear to be “natural” landscapes, e.g., archaeological sites or caves. Furthermore, the National Heritage Resources Act definition of heritage resources would include “natural”, geological and scientific resources in its definition of heritage resources. The balancing and integration of “natural” and “cultural” heritage resources remains a challenge for the Park.

It is also essential not to confine our approach to heritage resource management to the presence and absence of physical impact on the landscape, as often heritage resources are hidden or layered or even intangible (folklore or oral histories). In other words, “absence of evidence is not evidence of absence” of heritage resources or heritage significance. This is an important consideration in conserving the heritage related to cultural groups that have not left a significant imprint on the landscape.

Finally, Heritage Impact Assessments (HIAs), while guided in their scope by existing knowledge of heritage resources represented within an area, are required for any activity with potential to negatively or positively impact on such resources. Therefore the impression that such considerations need not be applied within areas deemed to be “natural” or pristine is also inconsistent with current law. It is important to note that management actions beyond the development of physical infrastructure, such as invasive alien clearing, can also negatively impact on heritage resources.

3.6.1c) Visitor sites

The CDF assessed the Park’s visitor sites in terms of the “limits of acceptable change” criteria. A functional hierarchy was then developed and management priorities are set out. It is worth noting that only existing recognised visitor sites were included in the hierarchy.

Four categories of Visitor Sites are identified:

- i) Visitor Destinations
- ii) Mixed Use Leisure
- iii) Transit
- iv) Low Intensity Leisure

The role, range of facilities to be developed and broad management guidelines for each category of site is outlined in the CDF.

Planning and development has of necessity been undertaken while the CDF was being prepared and without the benefits of a complete Heritage Resources Management Plan. In some instances, site-based planning has incorporated heritage considerations, however this has been in the absence of any agreed set of guidelines for heritage significance statements or for heritage impact assessments. Part of the current Heritage Management Plan implementation, management recommendations and protocols, will enable the CPNP to meet clear requirements within detailed planning processes for specific interventions at visitor sites.

A review has been undertaken of the detailed visitor site planning processes to assess the extent to which they integrate the analysis of the significance, vulnerability and proposed management of heritage resources at these sites. The results of this review are included in Appendix 2.

3.7 Other heritage management initiatives within the CPNP

The FFEM (le Fonds Francais pour l'Environnement Mondial) has and continues to supported initiatives within the Park that have sought to identify, manage, interpret and improve access to heritage resources for local communities.

From 1998 to the middle of 2001, the CPNP's Social Ecology (SE) Department was involved in a range of cultural heritage initiatives. Besides facilitating the formation of community liaison committees with communities neighbouring the Park, the SE Department initiated a process to gather oral histories relating to the Cape Peninsula. These oral histories form a useful, but as yet, untapped resource point of reference between the Park and its stakeholders.

The SE Department also undertook numerous environmental education initiatives. These initiatives were aimed at engaging schools and adults within basic adult education programmes through interpretation of the natural and cultural heritage of the Park. Interpretation and environmental education initiatives provide an important vehicle to convey the heritage of the Park to stakeholders. The FFEM has also supported the production of educational videos, educators resources and the upgrading of environmental education and interpretation facilities at Orangekloof, although, these facilities and education programmes associated with it are yet to be fully utilised. The use and development of education and training facilities in places such as Goldfields Education Centre and the Skaiffe Centre (Cape Point), and Koeel Bay are currently being considered by Park management. Facilities at Boulders have been planned and will soon be completed, while facilities at Bordjiesrif are currently being researched and planned. The interpretation opportunities at the Point (Cape Point) and within the transit facilities are currently under revision in order that they be developed and utilised in a manner commensurate with the nature and scale of this major destination point within the Park, Cape Town and the Province as a whole.

Over the past few years there has been a greater emphasis on the integration of interpretation and environmental education facilities at key visitor destination sites within the Park. If utilised in a manner that reflects the broad range of cultural identities of the Cape Peninsula and its stakeholders, as well as catering to the needs of international tourists, these facilities can significantly assist in developing the sustainable relationships required for the ongoing conservation of the heritage of the Cape Peninsula.

Over the past two years the CPNP has also focussed on providing interpretation materials at a number of sites, notably, the Upper Cable Station. Interpretation facilities are in the process of development at the Homestead in Cape Point, Cape Point and Boulders.

3.8 Institutional capacity

3.8.1 Current staffing

Restructuring within SANParks over 2000–2001 resulted in the significant reduction of the cultural heritage management capacity within the Park. In 2001, the Social Ecology Department staff was reduced through this retrenchment and restructuring process and the remaining staff were either redeployed in a different capacity or absorbed into the management areas (northern and southern) of the Park as part of the regionalised management approach. This new approach seeks to ensure that each section of the Park has in-house capacity to undertake the core functions of environmental management and social ecology. While posts exist for social ecology co-ordinator and interpretation co-ordinator, neither of these posts is currently filled

Professional services such as planning, marketing and communications, information and management systems are provided at the Park's head office together with other corporate management functions.

Please see the organogram of the CPNP management structure in Figure 4. See Appendix 3 for organograms showing the management area organograms.

Three senior planners within the CPNP provide the Park with significant capacity with respect to physical planning for heritage areas. A further extension of heritage management capacity has occurred by the employment of two contract planners to assist with the physical planning and development processes. This capacity can be seen to be further enhanced through the utilisation of heritage consultants to a greater or lesser extent within the various planning and development initiatives. Each and every development and planning process provides an opportunity to research and understand the nature of heritage resources, their significance and vulnerability in order to inform appropriate development and interpretation within that particular context.

Through the development of the HRMP, it is recommended that the CPNP reassess its cultural heritage resource management capacity in the light of the management requirements identified in the plan.

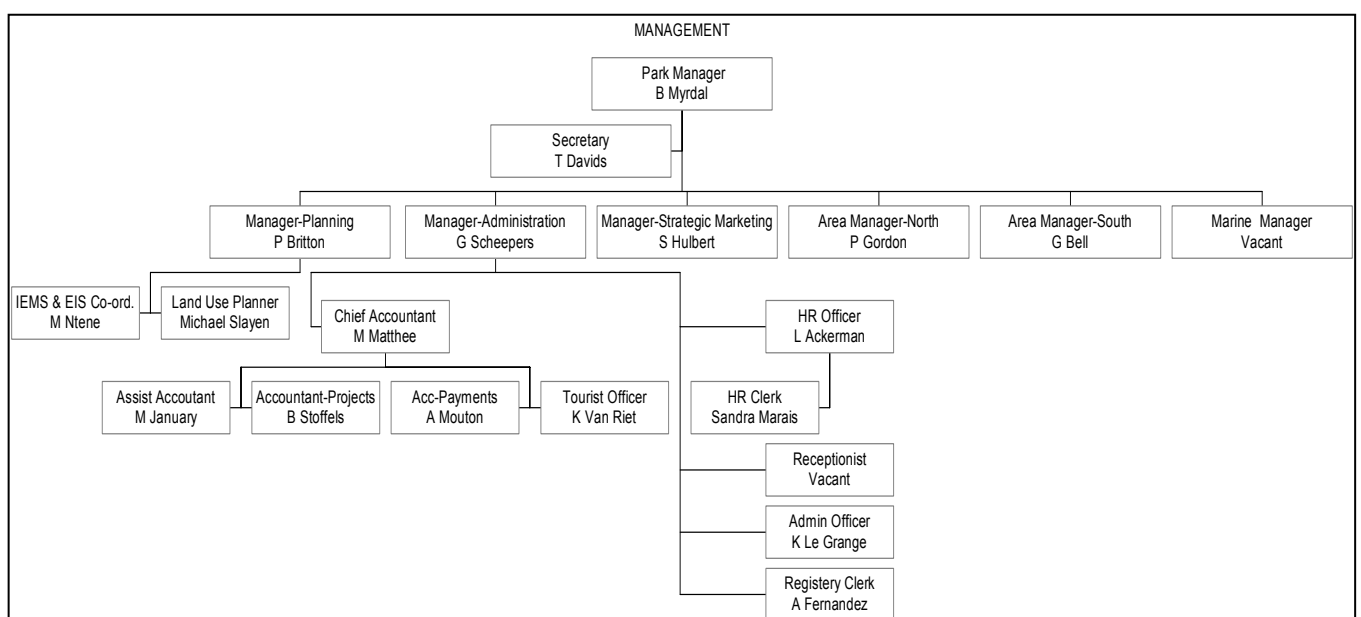


Figure 4: Management Structure of the CPNP

3.8.2 Training requirements

While a detailed training needs assessment has not been undertaken as part of this status review, it is assumed that the training provided for social ecologists for the management of heritage resources at a national level, may not provide the specific contextual input that is required in the complex situation of the CPNP. Furthermore, the application of the National Heritage Resources Act within the Park in developing the HRMP provides a unique opportunity for CPNP staff to deepen their understanding of the legal requirements for heritage management. Involvement in the development of the HRMP will assist managers and staff alike to understand the potential trade-offs that are necessary in balancing natural and cultural heritage management within the Park.

Beyond the involvement of management and staff in the development of the HRMP, it will be necessary to address training needs on the basis of the required capacity for implementing the Plan. Training will be required to assist staff in the application of heritage management procedures within the IEMS and in the use of the HRMP database.

4. STAKEHOLDER ANALYSIS

4.1 Introduction

The NHRA, states its purpose as follows: *“to introduce an integrated and interactive system for the management of the national heritage resources; to promote good governance at all levels, and empower civil society to nurture and conserve their heritage resources so that they may be bequeathed to future generations”*. What is not clear is what procedures are regarded as adequate “to enable and encourage communities to nurture and conserve their legacy” and how to reconcile newly emerging issues with the specific context in which the Act was drafted (1990s post-election ‘reconciliation and nation-building’, ‘redressing past inequities’, ‘facilitating healing and material and symbolic restitution’).

Important categories of stakeholders are management and staff of the CPNP, members of the public and organisations of civil society, the City of Cape Town, national and provincial government departments and agencies, (specifically tourism and education interests), and the approval authorities SAHRA and the Provincial Heritage Resources Agency (PHRA). See section 4.4 for a detailed stakeholder analysis.

The Park is immersed in the debates that have been sparked by the emergence of a greater interest within civil society towards heritage issues and supported by the promulgation of the National Heritage Resources Act. Heritage resources have the potential to become arenas of contestation, because communities, organisations (both governmental and non-governmental), organised and semi-organised groupings and individuals have their own, and often different, views of the significance and importance of particular aspects of the heritage landscape. There are complex factors including politics, history, culture and the impact of socio-economic conditions on perceptions of the Park and its heritage. The CPNP, with its very diverse natural and cultural heritage, has already become a focal point for some of these conflicting demands. For example, a number of civil society based groupings lay claim for access to, or ownership of, certain parts of its cultural and natural resources.

This contestation, however, should not be reduced to simply being between the Park and stakeholders. Indeed, it can be argued that the CPNP is but one of many stakeholders in the process, and itself comprises a range of interested and affected parties with divergent opinions. The debate around ideas, values and interests also happens between stakeholders, e.g. clashes between ‘environmentalists’ and ‘developers’, archaeologists and road engineers, or ‘displaced’ and ‘property-owning’ communities. Any heritage resources management plan also has to take into consideration the broader environment, for instance how the metropolitan context affects and in turn is shaped by the Park.

The stakeholder participation processes must therefore fulfil four important criteria:

- ensure that the broadest range of relevant stakeholders is included;
- provide an opportunity for all stakeholders to voice their concerns and issues;
- create opportunities for stakeholders with opposing views to hear each other and to find common ground; and,
- capture relevant input from stakeholders (e.g., local knowledge) in order to inform the heritage management process.

Stakeholder engagement in the development of the HRMP should be seen as developing the foundation for ongoing engagement of stakeholders in heritage resource management. The proposed stakeholder involvement and communication process is included in Appendix 1. See also Section 6.3.2.

4.2 Diverse interests and histories of stakeholders

The diversity of the City of Cape Town Area (CCT Area) and its population of more than 3 million people, reflects a complex interplay of race, class, language and location in the historical evolution of the city. Approximately half of the population is racially defined as 'coloured' with the remainder being made up of roughly equal numbers of 'whites' and 'blacks'. Language is also a distinguishing factor in the metropolitan area, with the majority language being Afrikaans. Other significant languages are IsiXhosa and English, with the latter being the primary language of business and tourism. In relation to stakeholders on the Cape Peninsula, the dominant languages are Afrikaans and English and to a lesser degree IsiXhosa.

Widely divergent bases of knowledge, awareness and capacity amongst stakeholder groups also pose a challenge for stakeholder involvement. Access to information, skills and the material resources that allow for the involvement of stakeholder groups is very divergent. Organisations that are based in wealthier communities have greater opportunities for involvement in the work of the Park.

The history of the Park, associated with 'apartheid' policies, has resulted in a deep and contradictory sense of alienation from the Park among many communities surrounding it, as well as on the Cape Flats and beyond. At the same time there are stakeholders who are deeply familiar with the Park and are very involved in its sustainable development as a heritage resource. Others retain strong cultural and symbolic identification with the Park, though physically removed from the immediate area. Given the past and existing conflicts and sensitivities, it can be assumed that any stakeholder participation process will raise emotional and deeply personal issues relating to the management of the Park's heritage resources.

Over the past 20 years the Cape Peninsula has seen the development of a strong set of interests in biodiversity conservation. In some areas these natural heritage and cultural heritage interests are in direct conflict, e.g., the clearing of alien trees in the context of areas of biodiversity significance.

4.3 Stakeholder attitudes towards the Park

While it is safe to say that the spatial distribution of class, race and language across the CCT Area has a serious impact on stakeholder involvement in the Park, it does not necessarily follow that stakeholders from outside the Cape Peninsula will participate any less in heritage resource management. Some may be familiar with certain landmark visitor sites in the Park, such as Cape Point, Newlands Forest, Rhodes Memorial, Tokai Forest and Signal Hill. The majority of the people on the Cape Flats and beyond arguably are not even aware of the existence of an entity known as the Cape Peninsula National Park.

However, for some communities on the Cape Flats and beyond who were once located along the Cape Peninsula mountain chain, the Park has enormous significance. Communities such as Imizamo Yethu, Masiphumelele, Ocean View and Red Hill have equally strong, but distinctly different attitudes and affinities to the Park. Their attitudes, which are shaped by their sense of their exclusion from the Park under Apartheid, are in stark contrast with other communities on the Cape Peninsula. By virtue of the same historical factors some communities have a much closer association with the Park due to opportunities and privileges afforded to them under Apartheid. This legacy of inclusion and exclusion from the Park is a powerful shaping factor in the attitude of these communities towards heritage issues.

A defining factor in this regard is physical location. Those communities that are closest physically to the Park are largely middle class, white and English speaking. There are, however, significant coloured and black working class townships located in critical places adjacent to the Park, namely at Imizamo Yethu, Hout Bay Heights, Masiphumelele, Ocean View and Red Hill. Within the metropolitan context the

coloured and black communities are at some distance from the Park. There is a significant group of predominantly white communities to the north and north east of the Park in the City of Cape Town. The dominant languages of the more distant communities are Afrikaans and Xhosa.

4.4 Stakeholder description and analysis

The pattern of involvement in the Park in the recent past has seen groups from communities closest to the Park being most active. However, the number of stakeholders on the Cape Flats has grown dramatically over the last few years, with a number of groups with a strong cultural and heritage focus emerging.

The civil society based groups most likely to participate actively in the process can be divided into five main categories: professional bodies and organisations with a strong heritage (natural and cultural) focus, community based organisations with a strong interest in heritage matters, non governmental organisations with a primary focus on heritage matters, traditional healer associations and groups and organisations that use the park and its heritage resources for spiritual and cultural activities, such as Muslims and slave and Khoisan descendants.

While not dealt with below as a separate stakeholder category, the staff and management of the CPNP are a very significant grouping. Rooted primarily in biodiversity and tourism aspects of protected area management, the realignment of management approaches to embrace cultural heritage management will involve a significant internal training and change management process. This must be facilitated through the process of developing and implementing the HRMP.

4.4.1 Professional Bodies

The most significant professional bodies and organisations with an established active interest in heritage are the Heritage Committee of the Cape Institute of Architects, the Association of Heritage Assessment Practitioners, the Cape Town Partnership Forum on Heritage and Urban Planning, Iziko Museums, SABTACO and the Cape Town Heritage Trust. These organisations have a considerable wealth of expertise, experience and knowledge on heritage (especially the built environment). Academic and research institutions, such as universities, schools and museums, also have an interest in participating in the process. There are a large number of research-based and academic institutions within the Universities of the Western Cape, Stellenbosch and Cape Town.

4.4.2 Community Based Organisations (CBO)

CBOs include civic organisations that tend to operate in the working-class coloured and black communities of the CCT Area, ratepayer and resident organisations that operate mainly in white communities and to some degree in middle class coloured communities, and a wide range of community organisations that focus on social issues such as health, crime and welfare.

Given the focus of the bulk of these organisations on local community issues it is unlikely that they would participate in great numbers in the process, unless they have heritage committees or claims to cultural restitution. Those community-based organisations closest to the Park will tend to engage more intensively with Park issues. The recent history of public processes involving community based organisations and the Park has shown that the majority of interested organisations tend to come from the traditionally white communities such as Constantia, Hout Bay, and elsewhere in the South Peninsula. These organisations are likely to bring a strong conservation oriented focus to the management of the heritage resources of

the Park. Significant effort in capacity building is required to effectively engage all community-based organisations – especially in ensuring mutual understanding of respective interests in the Park.

4.4.3 Muslim community

A stakeholder grouping that is likely to have a significant input into the process are those who are interested in the cultural heritage of the Park because of its strong association with their religious and cultural traditions and belief systems, such as the Muslim community. These groups are based within civil society and are dispersed throughout the CCT Area. The Signal Hill, Van Riebeeck Park and Oudekraal sections of the Park, for example, are of great religious and cultural significance to the Muslim community because of the presence of numerous burial sites and shrines of important religious leaders of the past. In addition to the Muslim Judicial Council, there are a number of other organisations representing different aspects of the Muslim heritage that should be included in the process. People acting as custodians of Muslim sacred places include Imams and traditional and current visitors/users from families associated with the sites. There is often a strong link with slave history in these communities.

4.4.4 Khoi San community

Organisations representing the heritage of Khoi San people will bring to the process an explicitly political agenda that is related to their objectives of furthering the political, socio-economic and cultural interests of those people they see as the direct descendants of the Khoi San, or First Nation. While many of these organisations have only emerged recently they have been very vocal and visible in putting issues relating to heritage on the local, national and international indigenous people agenda. The other reason for their importance to the process is that a number of them have laid claim in different ways to aspects of the cultural and natural heritage of the Park and this issue is likely to emerge very strongly in the public process.

4.4.5 Traditional healers

Although traditional healers are now organised into a representative national and provincial organisation, they tend to interact with the Park in a number of ways. It is common knowledge that the traditional healers from across the CCT Area see the Park as a vital source of ingredients for a wide range of traditional medicines. However, this has brought them into conflict with Park management and with other civil society based stakeholders.

4.4.6 Non Governmental Organisations (NGOs)

The category of stakeholders that can be classified under the rubric of non-governmental organisations (NGOs) is interesting because they bring a divergent range of interests and concerns to the process. Environmental NGOs, such as the Environmental Justice Networking Forum, introduce issues and concerns around sustainable development. They reflect the interests of a membership base across the CCT Area and beyond, but particularly in areas such as Langa and Khayelitsha. NGOs such as the Botanical Society of South Africa and the Habitat Council bring issues that have a stronger natural environmental conservation focus, whereas NGOs such as the Environmental Monitoring Group and the Wildlife and Environment Society focus on broader environmental issues as well as conservation.

Local environmental groups of direct relevance to the Park, such as numerous 'Friends' organisations (under the umbrella of the Wildlife and Environment Society of South Africa), as well as groups such as the Red Hill Landowners Conservation Group and Peninsula Mountain Forum, focus on natural heritage issues. In addition to these groups that are directly engaged with the activities of the Park, there are environmental NGOs in communities at some distance, such as the Khayelitsha Environmental Resource

and Information Centre, Ilitha Lomsa and the Masifundisane Cultural Club. They are not as directly involved in the activities of the Park but contribute important perspectives regarding cultural heritage.

4.4.7 Other civil society groups

Other groups include social welfare, educational, religious and recreational organisations which may have varying degrees of interest in cultural heritage matters in the Park. These bodies do not necessarily belong to any overarching structure but would be interested in heritage matters from their specific interest. Included here would be the numerous specialist organisations including: the SA Military History Society, the Simon van der Stel Foundation, the Archaeological Society, the Cape Peninsula Spelaological Society, Youth Groups, mountain clubs, and numerous user groups associated with sport activities. Similarly, there are groups and individuals interested in revisionist history and a variety of broadly 'New Age' activities involving the study and use of phenomena such as leylines and energy centres.

4.4.8 Government and approval authorities

Outside organised civil society and interested individuals within the general public, the other critical stakeholders in the process are those government bodies at national, provincial and local levels with a direct interest in heritage matters affecting the Park and the CCT Area in general.

At a national level the South African Heritage Resources Agency (SAHRA) is central because of its role as the custodian of all heritage resources in terms of the National Heritage Resources Act of 1999. The Act also operates at a provincial level and it is the recently instituted Provincial Heritage Council that would be more directly involved in the process than the national office. The National Department of Arts, Culture and Technology is the other key national stakeholder. At provincial level the Departments of Culture Affairs and Sport (DCAS) and Environment Affairs and Development Planning (DEADP) are the key stakeholders.

At local government level responsibility for different aspects of heritage conservation on the Cape Peninsula is located in a number of departments within the regions of the administration. The City of Cape Town (Cape Town Region) has responsible for Urban Conservation and Environmental Management Department. The City of Cape Town (CMC Administration) is important in terms of environmental management and spatial planning, and the City of Cape Town (South Peninsula Region) is responsible for a large number of communities adjacent to the Park.

4.4.9 Business and labour umbrella bodies

The final categories of stakeholders that must be taken into consideration are business, developers and labour. The umbrella organisations for business in the CCT Area are the Cape Chamber of Commerce and Industry, the National African Federated Chamber of Commerce, the Afrikaanse Handelsinstituut and the Foundation of African Business and Consumer Services. The main concern of these organisations are issues that directly affect their members and the history of previous processes indicate that they may not get involved in issues that do not directly affect business.

Organised labour organisations are significant within the business and government sectors in so far as they are involved in heritage issues.

5. SUMMARY OF LEGAL REVIEW: RIGHTS AND OBLIGATIONS OF THE CPNP

5.1 Introduction

EnAct International has been appointed to undertake the legal review and to assist with the legal content of the final management plan, including the management protocols. The following is an extract from the first component of *EnAct*'s output, the legal review, and attempts to summarise the legal rights and obligations of SANParks with respect to heritage management in the Cape Peninsula National Park. The full legal review report: *Identification and description of the legal obligations of South African National Parks in respect of the management of heritage resources within the Cape Peninsula National Park* can be accessed from the Park's offices. It is important to note that this review focuses only on heritage management. The legal review compiled for the IEMS deals with general and environmental management legal considerations¹⁰.

The obligations of SANParks in respect of the heritage resources within the CPNP arise from international Conventions, the common law, the Constitution and various statutes. *EnAct*'s approach to the legal review was to consider each of these sources of law, and to provide SANParks with an overview of its legal obligations and rights under each. The review provides a brief discussion of the hierarchy of South African laws. All law is subject to the Constitution, which provides the foundation of South Africa's legal system. Most of the obligations of SANParks in respect of the heritage resources in the CPNP arise from national legislation, although the common law, which applies where statute does not, and in addition to statute in certain circumstances, has some relevance. SANParks also needs to be aware of obligations imposed by international Conventions, insofar as they are binding.

5.2 Relevant International Conventions

International Conventions of relevance to the management of heritage resources in the CPNP are the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, the United Nations Law of the Sea Convention, the Convention on the Protection of Underwater Cultural Heritage and the Convention on Biological Diversity. Although only the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage has been given effect in domestic law and therefore imposes primary obligations on individuals or bodies within South Africa, SANParks must be aware of the obligations imposed on the State, of which SANParks is an organ, by the other Conventions.

5.3 National legislation

SANParks, as an organ of State as defined in the Constitution, must adhere to the principles of co-operative governance and must apply the values and principles applicable to public administration. The rights in the Bill of Rights may also be applied both by and against SANParks in respect of its management and operation of the CPNP.

Each of the pieces of legislation applicable to the management of heritage resources in the CPNP is considered and analysed in the legal review. Applicable to the management of all heritage resources within the CPNP are the National Heritage Resources Act ("the NHRA"), the National Environmental Management Act ("NEMA") and the Environmental Conservation Act ("ECA"). The majority of the obligations arise from the NHRA, which replaces the National Monuments Act.

¹⁰ Review of the legal framework applicable to the development of an integrated environmental management system for the Cape Peninsula National Park compiled by Cliffe Dekker Fuller Moore Inc, February 2000.

5.3.1 The National Heritage Resources Act

The NHRA imposes general obligations upon SANParks which apply to all types of heritage resources, including to take cognisance of, and incorporate, principles that guide action relating to heritage resources, to maintain and conserve heritage resources within the CPNP, to assist heritage resources authorities in the performance of their functions, and to submit annual reports to the national heritage resources authority, SAHRA. It must be noted that the primary obligation to classify and manage heritage resources under the NHRA is imposed upon heritage resources authorities and not upon SANParks. The NHRA also imposes general obligations on SANParks in respect of specific heritage resources. Certain rights are conferred upon SANParks by the NHRA, including to apply for financial assistance for specific projects that are consistent with the principles laid down in the Act. SANParks must be aware of the offences and penalties for contraventions of provisions of the NHRA.

Rights and obligations for inclusion in the heritage resource management protocols

The provisions of the NHRA are applicable to all places and objects within the CPNP which are determined to be "heritage resources" as defined in the NHRA, including all places and objects that were protected under the now repealed National Monuments Act.

General obligations of SANParks under the NHRA which apply to all types of heritage resources:

- to take cognisance of and incorporate principles that guide action in respect of heritage resources;
- to assist heritage resources authorities in the performance of their functions in relation to the CPNP, including making available on request: any information in respect of heritage resources within the CPNP, an inventory of its heritage resources, or a management plan in respect of a specific heritage resource;
- to maintain and conserve the heritage resources within the CPNP in accordance with standards and procedures prescribed by SAHRA, which includes the obligation not to take any action that will adversely affect a heritage resource under its control unless no alternative exists and all measures to minimise the adverse effects are taken and SAHRA has been informed of the proposed action, and, where destroying a resource, to record such resource in accordance with SAHRA's standards and undertake mitigating actions; and
- to submit a report to SAHRA annually on the maintenance and development of the heritage resources under its control.

General obligations of SANParks under the NHRA which apply to specific heritage resources:

- to be aware of the classification by heritage resources authorities of heritage resources within the CPNP (the classification of heritage resources by heritage resources authorities prevail over any other classification), and
 - in relation to heritage objects:*
 - to inform SAHRA of dealings in respect of such objects;
 - to obtain a permit from SAHRA before carrying out restoration work or repair on a heritage object listed in Part 2 of the heritage register; and
 - to obtain a permit before destroying, damaging, disfiguring or altering any heritage object;
 - in relation to heritage sites:*
 - to maintain them according to a minimum standard and procedure prescribed by the heritage resources authorities; and
 - to obtain a permit for any alteration to, damage, destruction, relocation, subdivision or changing of planning status of such a site;
 - in relation to protected areas or heritage areas:*
 - to consult the relevant heritage resources authority before damaging, disfiguring, altering or in any way developing any part of a protected area; and
 - to obtain the consent of the relevant local authority for any alteration or development affecting a heritage area;
 - in relation to provisionally protected places or objects:*
 - to obtain a permit from the relevant heritage resources authority or local authority before damaging, disfiguring, altering or in any way developing any part of a provisionally protected place or object; and
 - to obtain the consent of the relevant local authority for altering or developing or affecting a place listed on a provincial heritage register;
 - In relation to graves or burial grounds:*
 - to obtain a permit from the relevant heritage resources authority before destroying, damaging, altering, exhuming or removing from its original position or otherwise disturbing, the grave of a victim of conflict or any burial ground which contains graves of victims of conflict; and
 - to obtain a permit before destroying, damaging, altering, exhuming, or removing from its original position or otherwise disturbing any grave or burial ground that is older than 60 and which is situated outside a formal cemetery;
 - and otherwise:*
 - to notify the heritage resources authority before undertaking a development of the kind named in SAHRA, and in certain circumstances submit an impact assessment report to the heritage resources authority;

- to obtain a permit before destroying, damaging, excavating, altering, defacing or otherwise disturbing or removing from its original position or dealing with any archaeological or palaeontological site or meteorite or using any excavating equipment at an archaeological or palaeontological site;
- to obtain a permit from the provincial resources authority before altering or demolishing any structure or part of a structure that is older than 60 years; and
- to report the finding of any archaeological or palaeontological object or material or meteorite to the relevant heritage resources authority.

Rights of SANParks under the NHRA:

- to obtain financial assistance from SAHRA for projects consistent with the principles laid down in the NHRA and which contribute to the purposes of the NHRA.

5.3.2 National Environmental Management Act

NEMA imposes upon SANParks the obligation to take into account the principles laid down in the Act when exercising any function when taking any decision in terms of NEMA or other legislation concerned with the environment. When undertaking any activity that requires authorisation or permission by law and which may significantly affect the environment, SANParks must consider, investigate and assess the potential impact on the environment, socio-economic conditions and cultural heritage, before the activity is implemented. SANParks has a duty under NEMA to prevent pollution or degradation of the environment, or to take steps to minimise or rectify such pollution or degradation where it has occurred.

Obligations for inclusion in the heritage resource management protocols

NEMA imposes duties upon departments and organs of state with the aim of achieving a realisation of the constitutional environmental right and co-operative environmental governance and on all parties in respect of preventing damage to the environment.

Obligations imposed upon SANParks:

- to make reference to the principles set out in NEMA when exercising any function when taking any decision in terms of NEMA or any other statutory provision concerning the environment;
- to consider, investigate and assess the potential impact on the environment, socio-economic conditions and cultural heritage before any activity that may significantly affect the environment is undertaken;
- to prevent pollution or degradation of the environment from occurring, continuing or recurring, unless it is authorised by law or cannot reasonably be avoided or stopped, in which case, the pollution or degradation must be rectified or minimised.

5.3.3 Environmental Conservation Act

Under the ECA, if SANParks wishes to undertake an activity within the CPNP that comprises an 'identified activity' it will have to obtain authorisation therefor, after undertaking one or more assessments of the environmental impacts of the proposed activity.

Obligations for inclusion in the heritage resource management protocols

The ECA imposes duties upon all parties within South Africa to protect the environment, including obligations on all parties wishing to undertake certain identified activities, to obtain authorisation therefor.

Obligations imposed upon SANParks:

- to comply with the directives issued under the ECA in respect of the management of protected natural environments;
- to comply with the provisions of the ECA and Regulations promulgated in terms of it when undertaking any 'identified activities'.

5.4 Legislation specific to heritage resources

The following legislation is relevant to particular heritage resources: the Wreck and Salvage Act, the Commonwealth War Graves Act, the Rhodes Will (Groote Schuur Devolution) Act, the Defence Endowment Property and Account Act and the World Heritage Convention Act. Each imposes obligations upon SANParks to the extent that heritage resources to which the acts apply, exist within the CPNP. The World Heritage Convention Act, for example, which will apply when a World Heritage Site or special heritage site is declared in the CPNP, obliges SANParks to develop measures for the cultural and environmental protection and sustainable development of World Heritage Sites and special heritage sites. The National Heritage Council Act, in terms of which the National Heritage Council is established, and the

Cultural Institutions Act, which are relevant to heritage resources generally, do not impose any obligations on SANParks.

5.4.1 Wreck and Salvage Act

Obligations for inclusion in the heritage resource management protocols

The Wreck Act applies to shipwrecks within the boundaries of the CPNP or the territorial waters to the extent that the provisions are not inconsistent with the provisions of the NHRA and to the extent applicable.

Obligations imposed upon SANParks:

- not to obstruct any investigation undertaken in respect of a wreck in the CPNP;
- not to plunder, create disorder or prevent preservation of a wreck within the CPNP; and
- not to secrete any wreck or deface it or remove any marks from it or wrongfully carry away or remove any wreck (only applicable where the provisions of the NHRA do not apply).

5.4.2 Commonwealth War Graves Act

Obligations for inclusion in the heritage resource management protocols

The Commonwealth Act applies to any Commonwealth War Graves within the CPNP, to the extent applicable, and where not in conflict with the provisions of the NHRA.

Obligations of SANParks:

- not to desecrate, damage or destroy any Commonwealth war grave within the CPNP or, where the NHRA is applicable, to do so only in terms of a permit under the NHRA;
- to notify the Commonwealth War Graves Commission before disinterring, removing, reintering or cremating a Commonwealth War Burial or removing or altering a Commonwealth War Grave (although SANParks may make the final decision in respect of the action).

5.4.3 Rhodes Will (Groote Schuur Devolution) Act

Obligations for inclusion in the heritage resource management protocols

The Rhodes Will Act applies to all property within the CPNP which was part of the Groote Schuur Estate as defined in the Will of Cecil John Rhodes.

Obligations of SANParks:

- not to sell, let or alienate any part of the property that falls within what was Groote Schuur Estate; and
- properly and efficiently to maintain and preserve the Rhodes Memorial and at all times grant a right of public access to it.

5.4.4 Defence Endowment Property and Account Act

While it is the responsibility of the National Department of Public Works to ensure that all land management agents implement all actions relevant to the Defence Endowment Property and Account Act, it is a duty of SANParks to ensure that the organisation is apprised of all such requirements relating to properties managed within the Park.

Obligations for inclusion in the heritage resource management protocols

The Defence Act applies to any parts of the "defence endowment property" within the CPNP.

Obligations of SANParks:

- to establish the status of such defence endowment property and adhere to the provisions of the Act and/or any other agreements entered into in respect of the property.

5.4.5 World Heritage Convention Act.

Obligations for inclusion in the heritage resource management protocols

The Act applies to any World Heritage Site or a Special Heritage Site that is declared within the CPNP.

General obligations of SANParks:

- to be aware of the objects of the Act and to adhere to the principles laid down in the Act in relation to action in respect of World Heritage Sites and Special Heritage Sites; and
- to comply with the guidelines for financial management in the Act;

Obligations which may or may not be imposed on SANParks depending on whether SANParks is declared to be an "Authority" under the Act or whether SANParks is given additional powers and duties under the Act:

- to develop measures for the cultural and environmental protection and sustainable development of declared sites;
- to ensure that the values of the World Heritage Convention are adhered to;
- to promote, manage, oversee, market and facilitate tourism and related development in connection with declared sites;
- to identify cultural and natural heritage that must be transmitted to future generations;

- to take measures to protect, conserve and present cultural or natural heritage, and to encourage investment, innovation and job creation;
- to establish and implement an integrated management plan in respect of each declared site; and
- to be sensitive to the needs of communities living in or near any declared site.

5.5 Compatibility of CPNP management policy and strategic management plan with existing legal obligations

The CPNP Management Policy and Strategic Management Plan were considered with reference to the applicable heritage resources legislation, and were found to be compatible with it. To the extent the practice within the CPNP conforms to the Management Policy and Strategic Management Plan, it too will be consistent with legislation.

5.6 Potentially conflicting legal obligations

There is potential for conflict between the Conservation of Agricultural Resources Act (“CARA”) (and in particular, regulations made under it) and the National Environmental Management: Biodiversity Bill (“the Biodiversity Bill”), the National Forest Act, National Forest Fire Act, and municipal fire by-laws and the relevant heritage resources legislation. CARA, for example, requires the combating of what is defined as ‘invader plant species’, into which category a plant protected under heritage legislation may fall. SANParks is advised to compile an inventory of all plants that may be plants controlled both under CARA or the Biodiversity Bill and heritage resources legislation, and approach the relevant authorities for a directive on how the conflict should be dealt with.

5.7 Identified inconsistencies, overlap and gaps in legislative framework

A number of inconsistencies, overlaps and gaps in the legislative framework are identified and discussed in the legal review. Within the NHRA, there exist a number of confusing provisions, and there is some internal inconsistency. The NHRA also appears to contain provisions, which create gaps in the law. There are overlaps between the provisions of the NHRA and the Commonwealth War Graves Act, and between the World Heritage Convention Act and the NHRA. A significant legal vacuum exists because of the failure to date, of any province formally to declare a provincial heritage resources authority.

5.8 Non-statutory considerations

Non-statutory considerations relevant to heritage resource management in the CPNP are found in the common law and agreements to which SANParks is a party. The common law, for example, imposes on SANParks duties in relation to the owners of properties adjacent to the CPNP.

5.9 Conclusion

In summary, numerous obligations are imposed upon SANParks by international Conventions, the common law, legislation and agreements, most significantly by the NHRA, which must guide SANParks’ management and employees in all their dealings with heritage resources within the CPNP and accordingly must be included in the management protocols to be formulated as part of the Heritage Resource Management Plan.

6. REVIEW OF INTERNATIONAL BEST PRACTICE: LESSONS FOR HERITAGE MANAGEMENT IN THE CPNP

6.1 Introduction

The following summarises the research undertaken on international best practice. The research has focussed on the following areas of heritage resource management: approaches to management; planning; determining significance; recording and mapping; and, assessment and management of heritage resources. Note that all sources used in the best practice review are included in the bibliography (section 8).

Over the past ten years there has been a dramatic shift in attitudes and approaches to heritage management throughout the world. As a result, together with the judiciously worded charters, declarations and guidelines published by international organisations such as the World Heritage Committee and ICOMOS¹¹, extensive national reviews and reorganisation processes have been undertaken, and progressive and practical methods and guidelines for collaborative integrated heritage management are being developed. Prominent organisations active in contexts comparable to those of the CPNP include the US National Parks Services (NPS), Parks Canada (PC), Australian Heritage (AH) and English Heritage (EH)¹².

6.2 Approaches to cultural heritage management

The widening concept of 'heritage resources' is a complex management challenge, especially for national park management: "almost every park in the system has cultural resources, the material evidence of past human activities" (NPS 1997). Heritage places are often described as either natural or cultural, but are usually a combination of both (World Heritage Convention Act 1999; AH 2000), and elements may be tangible and/or intangible. "Frequently, cultural resources occur in complexes or assemblages, which might include movable and immovable resources, resources above ground and below, on land and in water, and whose features are both natural and fabricated" (Parks Canada 1999). Please refer to Box 1 below which summarises the key themes

6.2.1 Cultural context and landscapes

"Parks are part of larger cultural environments" (NPS 1997). An analogous situation to the CPNP is the Santa Monica Mountains National Recreation Area, flanked by the city of Los Angeles. In order to deal with conservation and change in such contexts, the concept of a 'cultural landscape' is often used, within which is a range of natural and cultural heritage places and objects and rural and urban situations, and that often cross park boundaries.

6.2.2 The importance of stakeholder values

The centrality of public interest and opinion has become particularly important in heritage management. For instance, the NPS acknowledged that it is merely "custodian" of the nation's park system, and if resources "are degraded or lost, so is the parks' reason for being" (NPS 1997). At its simplest, "we

¹¹ The International Charter for the Conservation and Restoration of Monuments and Sites, 1964, also known as the "Venice Charter". ICOMOS International Cultural Tourism Charter, Mexico, 1999.

¹² Reference is made particularly to comprehensive management guidelines for the NPS Cultural Resource Management policies (2001) and their detailed CRM guideline (1997), and the British system developed in conjunction with English Heritage, resulting in Policy Planning Guidelines (PPGs) for government departments. The material prepared by the Australian Heritage Commission ('Protecting Heritage Places', 2000), which integrates conservation planning for both natural and cultural values, is based on guidelines developed by the National Trust of Australia (Kerr 2000). SAHRA has recently drafted guidelines based on international best practice, and these are also cited.

protect heritage places because they help strengthen personal and community identity, we want to pass them on to future generations, and there are social, spiritual, ethical and legal obligations” (AH 2000). Given the complexity of cultural resources, they cannot be managed on the basis of a general list of approved or prohibited activities. The focus has moved away from the product – conservation by applying prescribed rules - towards the process - managing value through collaborative decision-making (‘conservation planning’). Consequently, all activities that might affect cultural resources are assessed against certain principles – e.g., value, public benefit, understanding, respect and integrity (Parks Canada 1999). The concept of value is embedded in the British and Australian model for heritage impact assessment that underlies the national heritage legislation of South Africa (NHRA 1999).

The fundamental purpose of cultural heritage management is to preserve the values ascribed to a site, whether aesthetic or historical or social (Clark 2001). However, cultural resources are not valuable in and of themselves – they are defined by their significant elements. Significance is assigned by a variety of people, not only ‘heritage professionals’. The need for heritage managers, heritage professionals and the public to collaborate in identifying heritage resources and negotiating agreement over their significance and value, and balancing preservation with development, is understood (Conservation Development Framework 2001). Nevertheless, CPNP proposals for, and treatment of, the cultural resources within and alongside its boundaries continue to be the focus of public and professional dispute and contestation. The difficulty of reconciling grand and good intentions with practical action is not peculiar to the CPNP, or to South Africa: “the challenges of managing cultural resources for public benefit are considerable” (Parks Canada 1999).

BOX 2: SUMMARY OF KEY THEMES IN HERITAGE RESOURCE MANAGEMENT DRAWN FROM INTERNATIONAL BEST PRACTICE REVIEW

Integrated Conservation

- Conservation as an integral aspect of economic and spatial planning. Economics and use as fundamental factors in decision-making in dealing with heritage resources.
- Conservation integrated in community life as an essential part of the activities of society.

The layering of history

- Respecting all periods as opposed to stylistic restoration to one particular period.
- The acceptance of change as an essential parameter in the heritage management process.
- The need to define the essence of what is to be maintained and the criteria for managing change, whether dealing with individual sites or cultural landscapes.

Cultural landscapes

- The broadening of heritage to include cultural landscapes.
- Heritage reflecting the natural and cultural landscape, their interaction and transformation over time.

Cultural diversity

- The specificity of each cultural heritage and the relativity of values.
- Specificity in relation to the cultural and physical context.
- Cultural diversity as a fundamental reference to the definition of authenticity; “cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems (Nara Document, art. 6)

Authenticity

- Each heritage resource as a creative and unique expression by a particular community at the same time representing the relevant cultural context.
- Being authentic refers to acting autonomously, having authority, being original, unique, sincere, true or genuine. It requires judgement based on a critical assessment of the essence of the heritage resource and its relations to the context.
- Refers to the design, materials, workmanship and setting of the resource/ site concerned (UNESCO World Heritage Operations Guidelines 1996). These references can be understood to cover the aesthetic and historical aspects of the site, as well as its physical, social and historical context, including use and function.
- It thus reflects an approach, which has shifted restoration and conservation from an artistic to a critical sphere. Instead of proposing models to be followed it establishes a critical process for the definition of what is to be conserved and how.

The vernacular/local identity/ local distinctiveness

- The increasing interest in the more modest works of the past which have acquired cultural significance over time and which collectively contribute substantially to local identity and a sense of place.

Public Participation

- The essential role of the community in identifying and safeguarding heritage resources.

Urban generation/rehabilitation

- The need for heritage management to be integrated into the economic and spatial planning process and to act as a catalyst for urban generation.
- The ability of the historic environment to foster local identity and pride and to generate community based initiatives towards urban generation.

Emphasis on communicating significance; education and training

- The need to ensure that local communities recognise and support heritage values and support the heritage management process.
- The definition and regeneration/transformation of values is regarded as a fundamental issue in heritage management.
- The need to provide local community groups with the education and training to be able to participate and contribute to heritage management decisions.

Environmental sustainability in the development of the built environment

- To meet the demands placed on the built environment by people and commercial and other activities without reducing the capacity of the environment to provide for itself and future generations.
- Safeguarding cultural heritage reflects the parallel movement for the concern for nature and the environment, a growing awareness of the limits to growth and the need to manage the world's resources taking into account environmental sustainability.
- Modern conservation does not mean a return to the past; it rather requires the need to undertake sustainable human development within the reality and potential of existing cultural, physical and environmental resources.

Integrity

- Refers to an undivided or unbroken state, material wholeness, completeness or entirety.
- Seven aspects can be used to qualify significance of heritage resources: location, design, setting, materials, workmanship, feeling and association.
- Has reference to different notions: structural integrity, integrity within an ecosystem, functional integrity and visual integrity (UNESCO Nomination of World Heritage List)
- Tool for identification of elements which make up an "organic whole" such as the complexity formed by the fabric and infrastructure of historic settlements and the mutual relationships of such elements with the whole and the setting.

Tangible and intangible aspects of heritage

- The need to acknowledge that heritage values reside also in intangible elements, in ceremonies, rituals, feelings, sights and sounds.
- Emphasizes the fact that not all aspects of cultural significance find expression in material physical fabric.

Multidisciplinary approach

- Emphasizes the need for the multi-faceted, multi-dimensional aspects of culture to be reflected in a multi-disciplinary approach to the understanding of significance.

Context and scale

- The context of specific sites is critical in the understanding and preservation of significance. Increasingly places, rather than specific sites, are being acknowledged as having heritage significance in their right.
- The understanding of the nature of significance at different scales is fundamental to a holistic approach to heritage understanding and management.

Understanding significance, substantive evidence/analysis

- Different methodologies need to be explored relating to the validation of what constitutes heritage significance and to whom.
- Increasingly oral histories are being used to convey historical significance. Such oral histories are frequently contested and means have to be formulated for the validation and resolution of different histories.
- Rigorous methodologies related to the identification of heritage sites and the understanding of the nature of cultural significance.

Enabling development

- Enabling development refers to the granting of additional development rights to subsidise conservation related activities elsewhere on a site.
- Particularly in a developing context, conservation cannot be regarded as functioning as a brake on development and criteria have to be formulated to ensure that such development is appropriate and directly related to the conservation of the heritage resource.

6.3 Planning

Heritage organisations are increasingly recognising that they need a formal written management planning process, especially when they are accountable for public money or have to reconcile potentially conflicting interests. The process “means managing, not stopping, change” (Clark 2001) and comprises a cycle of actions that begins with research and evaluation and then involves planning, impact assessment, and, finally, monitoring.

Australian Heritage (2001) recommends ten steps to protect heritage places:

1. What is your heritage place?
2. Who has an interest?
3. What do you need to know?
4. Why is this place important?
5. What are the issues?
6. What do you want to achieve?
7. What do you need to do?
8. What is your plan?
9. Do it!
10. Review it!

According to Australian Heritage, many organisations follow the incorrect sequence when making plans, often with disastrous results. They recommend that before deciding what to do, first know what exists and then get a firm understanding of significance and the issues that affect the place. The next step is to develop strategies or actions for reaching objectives. These strategies must help to retain the significance of the place.

6.3.1 Conservation management plans

A conservation plan is a document which details how to look after the natural and/or culturally significant heritage values of a place. It can be part of a broader management plan (AH, 2001). ‘Conservation plans’ are often used when dealing with historic heritage places. They are:

- detailed guides to protect features of recognised heritage significance;
- outlines of policy or objectives for a heritage place, resulting from a conservation analysis;
- usually prepared by historic heritage conservation specialists who consult with the people involved; and
- applied by the managers of a place who develop the detailed strategies and actions required.

‘Conservation management plans’ are conservation plans with some consideration of management issues. A conservation management plan is a document that sets out the significance – or values – of a site and how that significance will be retained in any future use, alteration, repair or development.

Management objectives and policy are essentially the same thing. Both result in a statement of intent, but they stop short of the detailed description of how to do it. ‘Management plans’ usually go further than conservation plans and include more thought on the practical, political, resource and economic circumstances affecting the place and the best ways of dealing with these issues. They are best prepared by a group of people actively involved in managing the site.

According to a recent SAHRA pamphlet, Conservation Management Plans (or Conservation Plans, Management Plans, Heritage Management Plans, Cultural Resource Management Plans) are required for places protected in terms of the NHRA (Section 47(3)) and which are owned or controlled by SAHRA or PHRA, and for all World Heritage Sites, and they form the basis for Heritage Agreements (Section 42)

and presentation (Section 44). The contents of such a CMP are described in detail ('General introduction to surveys, impact assessments and management plans' 2002).

6.3.2 Key considerations for in conservation management planning

When developing plans, consultation takes place with the people who are concerned about and responsible for heritage places in the area. There are some questions that help identify people with an interest, such as: who knows about the place, who owns land, who manages the land, who lives and works there, who can help, who uses the place, who will be affected, who needs to be kept informed - see also the Stakeholder Analysis (section 4). The intention is to:

- ensure the right people are involved;
- allow those affected by decisions to provide information about their needs;
- help determine heritage significance;
- help make sure that all of the important issues are considered;
- provide people with information so they understand what is being planned.;
- enable those affected to give opinions and ideas about possible solutions to problems or issues; and,
- help to decide what future actions are realistic, will meet everyone's needs, and will be supported.

A range of issues may have been identified when looking at what information is available about the place. Issues to consider might include:

- special requirements or obligations to retain the heritage values;
- threats to significant values, vulnerabilities, impacts on values;
- current arrangements for administering the place, their appropriateness;
- physical condition;
- current and future trends affecting the place;
- legislative, planning or other regulatory requirements;
- previous studies and recommendations;
- funding and other available resources; and,
- political, economic and social environment.

As issues raised may be numerous and/or conflicting, it is important to identify priority issues:

- will the situation worsen if something isn't done about it?
- can or should other groups or organisations take responsibility for this issue or problem?
- do we have the knowledge, skills and resources to deal with this problem? If not, are we likely to be able to develop these in the near future?
- who do we need to enlist as partners to address the issue?

6.4 Determining the significance of heritage resources

The significance of heritage resources is a function of the value ascribed to the resources:

Natural significance is the importance of ecosystems, biological diversity and geodiversity for their existence or intrinsic value, or for present or for future generations in terms of the scientific, social, aesthetic and life support value (AH 2001).

Cultural significance is the aesthetic, historic, scientific, social or spiritual value for past, present or future generations (Burra Charter 1999).

Important elements of a place are called 'heritage values'. Cultural heritage values encompass both indigenous and historic elements. Many places have both natural and cultural heritage values. A forested

valley, or a coastal landscape or a wetland remnant and their ecological processes may be considered part of our natural heritage. These places may also contain evidence of past human activity and so they may also be part of our cultural heritage (AH 2001).

The fundamental purpose of cultural heritage management should be to preserve the values ascribed to a site. Such places are defined by the values we attach to them. Value is what justifies their protection in the first place, and it is the basis of any public support and grant aid – or of the restrictions placed on them. Indeed, conservation, at its most basic, is about a declaration of public interest in property, be it private or government owned. Clark (2001) writes about ‘value-led planning for cultural heritage sites’, which emphasises the centrality of public involvement with heritage sites: “It means listening to, working with, involving, and, ultimately, empowering communities”. She suggests that the entire planning process should begin with the identification of stakeholders, which includes all the groups with an interest in the site. In some cases the role of the conservation advisor is simply to ask questions and facilitate discussion, rather than to dictate answers. The key outcome of this step is the development of a statement of significance.

Significance and how it is defined within the context of the Cape Peninsula National Park is discussed further under section 7.

6.5 Recording and mapping heritage resources

6.5.1 Defining heritage places – the case for ‘cultural landscapes’

A heritage place is a specific area or site, perhaps a large area such as a whole region or landscape, or a small one such as a feature or building, which is valued by people for its natural and/or cultural heritage significance (AH).

In Britain the Planning Policy Guidance for ‘planning and the historic environment’ (PPG 15) refers to ‘conservation areas incorporating wide historic landscapes’ – and including spaces and semi-natural features, patterns of roads, views and gardens, and so on. Kitchside Conservation Management Plan (The National Trust for Scotland 1999) deals with such a landscape – including planning for aspects ranging from biodiversity to field gates. The National Heritage Board of Sweden has a Department of Archaeology that “aims at establishing a more expanded outlook on the landscape” as a “cohesive context”, because people find landscapes of interest and value as cultural history. ‘Landscape’ includes ancient sites and monuments and other historic remains, place-names and narratives, traces of cultivation, buildings, vegetation, and so on.

The NPS (1997) followed the National Historic Preservation Act that defines types of cultural resources as ‘property types’ - districts, sites, buildings, structures and objects – and ‘resource types’ – archaeological resources, cultural landscapes, structures, museum objects and ethnographic resources. Resource categories are useful because they help organise cultural resources into a manageable number of groups based on common attributes. On the other hand, categorisation may obscure the interdisciplinary nature of many cultural resources. In addition to this overlap, cultural resources might also embrace more than one category or classification system, and “historic districts can be formed by various combinations of cultural landscapes, structures and ethnographic and archeological resources” (NPS 1997).

The NPS now manages all cultural landscapes as cultural resources, regardless of the type or level of significance, focusing on “preserving a landscape’s physical attributes, biotic systems, and use when that use contributes to its historical significance” (NPS 1997). They are listed in a Cultural Landscapes Inventory. The NPS publication, ‘Protecting Cultural Landscapes (1999) defines general types of

landscape, and “provides a framework and guidance for undertaking projects to ensure a successful balance between historic preservation and change”.

Some general points of interest arising out of NPS guidelines (1999) include:

- a cultural landscape is a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person, or exhibiting other cultural or aesthetic values;
- four general types of cultural landscape, not mutually exclusive are identified: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes;
- teams with wide skills are required for preservation planning and management of cultural landscapes, e.g., landscape architecture, history, landscape archaeology, forestry, agriculture, horticulture, planning architecture, engineering, cultural geography, etc.;
- the landscape can be read as nature, habitat, artefact, system, problem, wealth, ideology, history, place and aesthetic – even plants can have historical or botanical significance;
- need to retain broad overview and context (e.g., aerial photo) as well as classifying features and relationships on the ground (e.g., archaeological survey);
- landscape interpretation is the process of providing the visitor with tools to experience it as it existed during its period of significance or as it evolved to its present state; and,
- wise stewardship protects the character and spirit of a place by recognising history as change over time.

6.6 Identification, assessment and management

Conservation analysis is part of a conservation plan, which covers the steps of describing the place, identifying interests, gathering information and assessing significance (AH).

Heritage inventory is a preliminary list of places with potential or known heritage significance that require documenting, assessing and, if appropriate, entering in a heritage register (AH).

The practice of Cultural Resource Management requires that four elements be in place in all decision-making that affects cultural resources: the inventory of resources, the evaluation of resources to determine which are to be considered as cultural resources and what it is that constitutes their historic value, the consideration of historic value in actions affecting conservation and presentation, and monitoring and review to ensure that objectives continue to be met effectively (Parks Canada 1999). ‘Management objectives’ are thus defined by focusing on the values of the place as outlined in the statement of significance, addressing the key management issues you have already identified and thinking about how you would like the place to be in the future. They need to be specific enough to give direction to the management of the place (AH).

English Heritage uses two overlapping approaches to assist in measuring value: ‘designation’ and ‘characterisation’ (EH ‘Strategic review of historical environment policy’ 2000). ‘Designation’ places a heritage resource at a particular level of importance that has management implications (likewise, places of Grade I, II or III in SA are placed under the guidance of the relevant ‘competent’ resource heritage agency at national, provincial or local level - SAHRA 2002). The problem is that ‘designation’ is a blunt instrument, and the application of rules can produce decisions that bring the legislation and conservation movement into disrepute. Good decisions require information, sensitivity and sound judgement. Ideally they will be based on shared understanding of significance, vulnerability and need for change, something best achieved through early consultation with all involved.

'Characterisation' or 'character appraisal' is based on wide consultation, including input from the community and developers, and leads towards understanding and describing what makes an area special and distinctive. Owners and developers making investment decisions need a degree of certainty about what changes to a site or buildings are likely to be acceptable.

6.6.1 Surveys, heritage impact assessments and heritage registers

Heritage studies are the resource documents from which plans are developed. NPS (1997) even suggests that: "the first research studies for a new park are the historic resource study and the archeological overview and assessment". It recommends that baseline studies for each resource should be completed before more specialised studies are undertaken, as they provide information that serve a variety of purposes, from planning to interpretation. Examples are: archaeological and ethnographic overview and assessment, historic resource study, cultural resources base map, Park administrative history, Rapid Ethnographic Assessment (community consultation process), and scope of collection statement (curatorial planning document). According to information in PPG 16 'Archaeology and Planning' (1990), the British Archaeologists' & Developers' Liaison Group was set up to foster voluntary cooperation, and English Heritage (1991) have prepared guidelines for the 'Management of Archaeological Projects'.

SAHRA (2002) has recently drafted a 'General introduction to surveys, impact assessments and management plans', based on international guidelines. The methods most commonly used are:

- Surveys, to identify, map and assess sites for grading prior to management, are usually confined to a physical area or to a certain category of heritage resources (e.g., archaeological sites, shipwrecks)
- Heritage Impact Assessments (required in terms of Section 38 of the NHRA) and Environmental Impact Assessments (required in terms of ECA and NEMA) are driven by development projects, and may include specialist assessments (e.g., oral history, archaeology, and aesthetics).

HIA principles, procedures and definitions of terms are currently being agreed in discussions between SAHRA (W. Cape), a group of HIA practitioners and the Urban Conservation Unit of the Cape Town City Council, and in consultation with the Provincial Heritage Council.

Resources available to the National Heritage Board of Sweden include GIS position and attribute data, historical atlases, digital historical maps, archaeological fieldwork documentation system (Intrasis), EIAs and predictive maps, CRM results and present-day cultural values. SAHRA adds that other sources of information about important places or objects are unsolicited reports from the general public, oral histories and community projects, existing SAHRA records, and accidental discovery in the course of development.

There are three levels of investigation (exhaustive, thorough and limited) – the limited investigation is expected to take four months.

SAHRA's basic requirements for assessment reports (in the form of a Scoping Study or Phase 1 Archaeological Report or HIA) are:

- an introduction – goal, boundaries of study area, who prepared the study;
- the name and address of the owner and/or manager of the property;
- a description of the place, its setting, its heritage resources and its history – study area environment and history, study methods used (eg community knowledge), and how much of the area was covered by each method, what community consultation took place, any known gaps in information, where contributing information was found;

- the significance of the heritage place – identification of places that have significance, criteria used to assess significance, statement of significance;
- results and recommendations – succinct summary of findings, what steps are proposed to protect the heritage place, how report can be used;
- general policy and conservation principles that apply to the place;
- a statement of the conservation objectives for the place, including security, maintenance and scale of intervention that may be permitted;
- a summary of legislation applicable to the conservation of the place; and,
- recommendations for mitigation of adverse impacts, if relevant.

The NPS (Appendix C, Management Policies 2001) has a system of Director's Orders to provide guidance for implementing policies, including guidelines, handbooks and reference manuals. They cover subjects such as information management, conservation planning and environmental impact analysis, cultural resource management, archeology, concession management, geographic names, domestic and feral livestock management and conflict resolution. The CRM Guideline (1997) is very detailed and has been widely cited in this summary.

6.7 Implementing plans

All written plans for heritage protection should include:

- guidance on what future actions will be done, or are appropriate considering the significance of the place or places. The best guide is 'do as much as necessary and as little as possible' to ensure significance is retained. Check your decisions against these questions:
 - Is this what I want to happen?
 - Will my proposed actions protect the significant values of the place?
- a list of people responsible for carrying out actions of the plan;
- how the protection of the place itself will be monitored and reviewed; and,
- a process and timing for reviewing and updating the plan (AH).

There are SAHRA guidelines for 'implementing a process for monitoring results and reviewing the CMP' (SAHRA 2002). They follow AH recommendations, which adds the following advice: "Keep track of progress. Differences of opinion or disputes can sometimes be resolved if there is a good record of decisions and expected outcomes. Add information to the plan as it comes to light and include evidence of your progress. Keep everyone involved and continually adapt as people come and go."

7 RECOMMENDATIONS FOR THE DEVELOPMENT OF A HERITAGE RESOURCES MANAGEMENT PLAN

7.1 Introduction

This section summarises the requirements for the development of the HRMP. It includes key considerations for co-operation with relevant authorities, the stakeholder involvement process, the methodology for determining significance of heritage resources and the requirements for the heritage inventory. Finally, a preliminary list of procedures/protocols for inclusion in the IEMS is presented for consideration.

7.2 Co-operation with relevant authorities

In the light of the existing institutional challenges which are the context of the HRMP process and the related initiatives currently underway within SAHRA and the CCT, the CPNP the consultant team must ensure that there is consistency in approach in the following key areas of work:

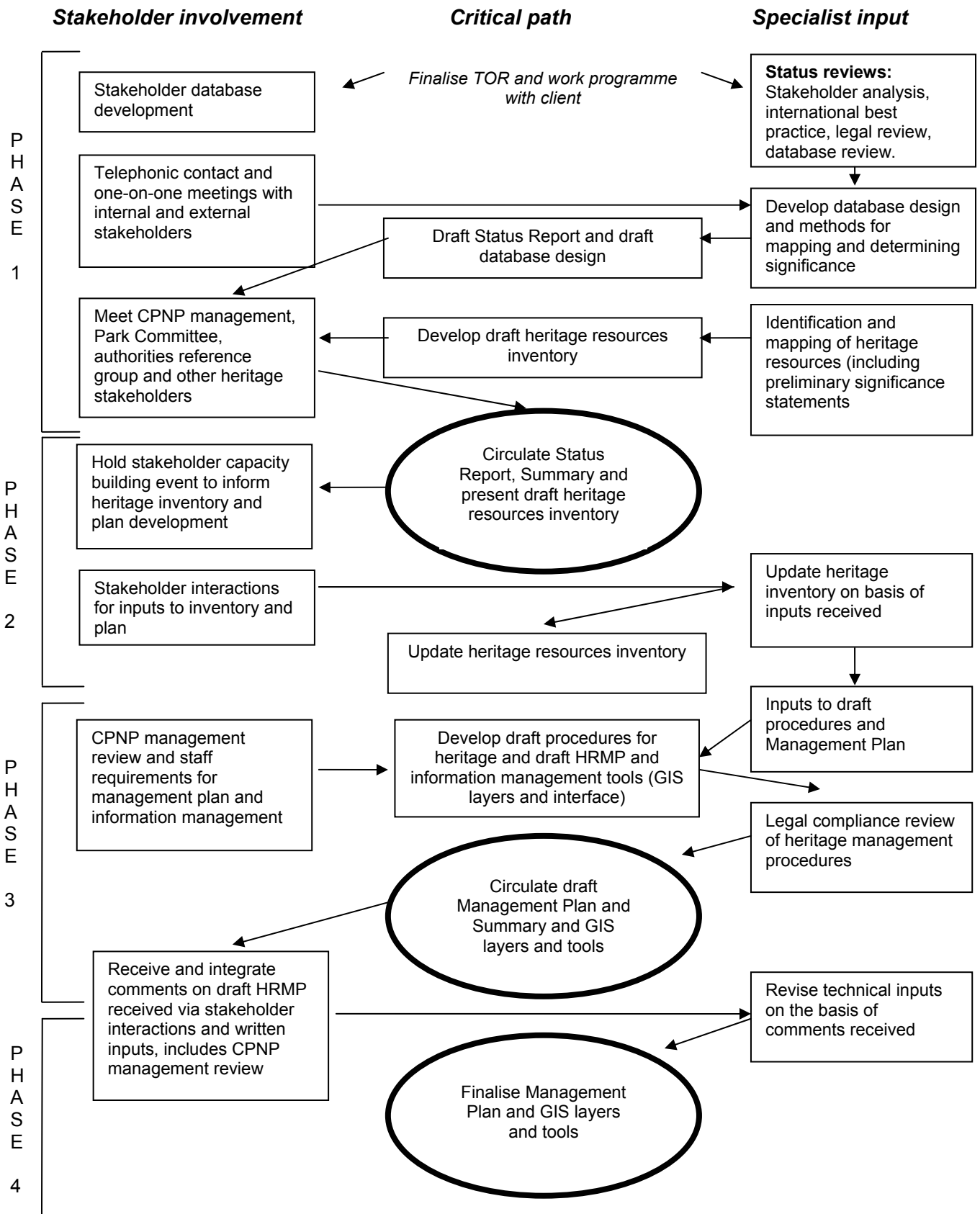
- methods for identification of heritage resources;
- methods for determining significance;
- structure and content of the heritage register;
- management protocols/procedures for managing heritage resources; and,
- database compatibility (in so far as this is possible).

7.3 Stakeholder involvement and communication

The review of best practice has highlighted that significance of heritage resources is defined by the value associated with them by stakeholders. It is therefore essential to ensure that the stakeholder involvement process, while targeted and efficient, provides an opportunity for a wide range of stakeholders in the metropole to engage in the process of identifying and rating the significance of heritage resources. The proposed stakeholder involvement and communication process is included as Appendix 1. It is important to note that the process of developing an HRMP lays the foundation for ongoing engagement in heritage management and is not an end in itself.

Four key groups of stakeholders will be engaged in the process of developing the HRMP: CPNP staff and management via an internal reference group, relevant authorities via an authorities reference group, heritage specialists via peer review and organised civil society groups through public events communications and one-on-one interactions. Stakeholders will be engaged in identifying, determining the significance and advising on the management of heritage resources in the Park. Heritage authorities/agencies will assist the team and the CPNP in ensuring that the HRMP and its inventory conform to accepted national and provincial standards. All other relevant authorities will be engaged to enable consistency and co-operation in the management of heritage resources on the Cape Peninsula (See Figure 5 below).

Figure 5: CPNP Heritage Resources Management Plan Preparation Process



7.4 Methodology for identification and determining significance of heritage resources

In adopting a systematic approach to heritage resource management best practice indicates that this study together with the staff and management of the CPNP, relevant authorities and stakeholders needs to determine the following:

- What is the nature of CPNP heritage resources?
- Why is a particular heritage resource significant?
- To what degree is it significant?
- To what extent is it vulnerable?

There are existing databases that have been compiled for various aspects of heritage resource management on the Cape Peninsula (see Appendix 4). None of these databases are complete and it is in the nature of heritage resources that such databases can never be complete. The consultant team has identified and reviewed existing databases and has systematically identified known heritage resources through a process of mapping and recording related information. They will constantly change as new information is uncovered and as societal value of these resources changes.

7.4.1 Criteria for determining significance

a) *Broad categories of significance*

Cultural significance means historical, architectural, aesthetic, environmental, social or technological/scientific value or significance (NHRA 1999).

The following criteria were used to determine broad categories of cultural significance:

<u>Historical</u>	Associated with an historic person or group Associated with an historic event, use or activity Illustrates an historical period
<u>Architectural</u>	Significant to architectural or design history Important example of building type, style or period Possesses special features, fine details or workmanship Work of a major architect or builder
<u>Environmental</u>	Contributes to the character of the street or area Part of an important group of buildings or structures Landmark quality
<u>Social</u>	Associated with economic, social, religious activity Significant to public memory
<u>Technical</u>	Important to industrial, technological or engineering development
<u>Scientific</u>	New, rare or experimental techniques Important to archaeology, palaeontology, geology or biology.

The following are examples of criteria for assessing significance are drawn both from the National Heritage Resources Act and from the international best practice review.

BOX 3: NHRA CRITERIA FOR ASSESSING SIGNIFICANCE

The National Heritage Resources Act (NHRA; Act 25 of 1999) identifies criteria for assessing the significance of a place. A place has heritage significance because of:

- (a) its importance in the community or pattern in South Africa's history;
- (b) its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- (c) its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- (d) its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- (e) its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- (f) its importance in demonstrating a high degree of creative or technical achievement during a particular period;
- (g) its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- (h) its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa; and,
- (i) sites of significance relating to the history of slavery in South Africa.

BOX 4: KERR'S CRITERIA FOR ASSESSING SIGNIFICANCE (KERR 2000)

The following assessment criteria can also be used. They were developed by Kerr (2000) and are useful understanding the heritage significance of a place in terms of its physical evidence, associational links, relationships and experiential/interpretative (non-visual and visual) qualities.

i) Ability for physical evidence to demonstrate or contribute to an understanding of a past design, style, period, technique, philosophy, belief, use or association with an event or person/s.

The degree of significance of this physical evidence is determined by:

- age (how early);
- scarcity value (how rare);
- intactness (presence of original features, in situ evidence, preservation);
- representational value (outstanding, important or typical example);
- evidence for historical layering/archaeological sequence; and,
- significance of an association between an event or person/s and physical evidence.

ii) Associational links with a past event, person/s and activities for which there is no remaining physical evidence.

The degree of significance of this association is determined by:

- significance of the person/s or event;
- intimacy of the association;
- duration of the association; and,
- evocative quality of a place and its setting relative to the period of association.

iii) Qualities giving a place historical character, a sense of continuity or connectedness with the past, a sense of orientation and structure within the landscape. It encompasses the physical properties (scale, form, edges, materials, landscaping, texture, focal points, views, orientation) of a place and its setting. It also encompasses the non-visual qualities of a place (sounds, smells or any activity affecting the experience of a place).

iv) The degree of significance of the experiential qualities of a place is determined by its:

- level of coherence of the landscape;
- level of interpretative qualities;
- relationship with its setting, which reinforces the qualities of both; and,
- evocative versus disruptive qualities of contrasting elements.

b) Recommended set of criteria for assessing the value of the CPNP 's heritage resources:

i) The ability to demonstrate or contribute to an understanding of:

- the role and importance of the CPNP in the lives of the various communities in the city over time;
- the extent to which the CPNP reflects the history of the city, the region and the nation over time;
- the nature and significance of uncommon, rare and endangered aspects the city's natural or cultural heritage evident in the CPNP;
- the principal characteristics of a particular class of the city's natural or cultural places; and,
- aspects and elements within the CPNP which demonstrate a high degree of creative or technical achievements during particular periods.

ii) Associational links with past events, person(s) and activities for which there is no remaining physical evidence.

- The significance of the CPNP as a whole and particular spatial precincts within it, in terms of an association with particular communities or cultural groups for social, cultural and spiritual reasons.
- The association of precincts within the CPNP, and specific sites, with the life or work of a person, group or organisation of importance in the history of the city, region and the nation.
- The nature of sites of significance relating to the history of slavery in the city evident in the CPNP.

iii) Aesthetic experiential criteria which contribute to a sense of place and historical character, which provide a sense of continuity or connectedness with the past and a sense of orientation and structure within the broader landscape of the city.

- The importance of the CPNP as a whole and particular spatial domains within it, in exhibiting particular aesthetic characteristics valued by communities or cultural groups.

7.5. Heritage inventories - a heritage management tool

Heritage inventory can be used as management tools. The proposed structure the inventory will incorporate a description, and a preliminary analysis incorporating: assessment of significance, threats, vulnerability, status of research which collectively inform the proposed formal protection status and management actions. The following presents an overview of the proposed contents of the heritage inventory. The database design that will accommodate the inventory is presented in Appendix 4.

7.5.1 Description

- a) Geographic co-ordinates (GPS, grid reference number);
- b) Unique identifier (catalogue number, site code);
- c) Nature of resource (refer to Section 2.3.);
- d) Name of place (official, local, indigenous, previous);
- e) Location/extent (erf/farm number, address);
- f) Ownership (current, past, contested);
- g) Linkages (relationship to related heritage resources);
- h) Chronology (historical layering/periodization – ESA, MSA, LSA, Herder period, Early Contact period, Dutch period, Dutch-British transition period, British colonial period, Union of SA period, WW II period, Republic period, Democratic period); and,
- i) Context (material history, oral history, associations, spatial).

7.5.2 Analysis

The following presents an overview of issues to be considered in the analysis of significance, vulnerability and status of research which should collectively inform proposed management actions.

a) Preliminary statement of significance

This assessment is based on agreed criteria (objective/subjective) and substantiated by references.

- social
- bio-physical
- historical
- archaeological
- palaeontological
- technological
- scientific
- architectural
- aesthetic
- ability to demonstrate
- associational links
- experiential/sensory qualities

b) Vulnerability

An assessment of vulnerability is based on significance and perceived threats to the heritage resource e.g. physical condition, public safety concerns, decay, weathering, development impact, access, current and proposed use, etc.

c) Status of research

This includes an assessment of research presented in:

- existing research reports
- existing heritage assessments
- recommendations for further research
- references (publications, reports, transcripts, etc.)
- references (maps, plans, photos, etc.)

d) Proposed management actions

Management actions can range from general policy or procedure directives for the CPNP or research requirements through to very specific rehabilitation, maintenance or repair recommendations for a specific resource.

A key tool in management is to enable the appropriate protection status to heritage resources. Protection of heritage resources is enabled through the World Heritage Convention Act or the Environmental Conservation Act or the Protected Areas Bill etc in which protected areas are defined. Other formal protection measures may also be afforded through policies, spatial plans or zoning schemes that apply to a specific area. The NHR Act, however, makes provision for a three-tier system for grading heritage resources, namely:

- Grade 1: significance on a national scale or level and thus worthy of being declared National Heritage Sites
- Grade 2: significance on a provincial or regional scale or level and thus worthy of being declared Provincial Heritage Sites or entered on the Provincial Heritage Register
- Grade 3: significance on a local scale or level and thus worthy of being entered on the Provincial Heritage Register. This includes declared Heritage or Conservation Areas in terms of the NHR Act or zoning scheme regulations.

Beyond formal protection status, however, there is also provision for the general protection of the following resources:

- archaeological and palaeontological resources;
- structures older than 60 years;
- shipwrecks older than 60 years; and,
- burial grounds or grave sites older than 60 years.

7.6 Preliminary list of heritage management procedures/protocols required for inclusion into the IEMS

The following is a list of required procedures identified through the review process:

7.6.1 General procedures for heritage management

- Compilation of an inventory of heritage resources (comply with heritage register requirements);
- Classification of heritage resources;
- Annual reporting to SAHRA and Heritage Western Cape (HWC) (could include a report template);
- Procedure for informing SAHRA and HWC of the identification of heritage resources;
- Procedure for applying for permits from SAHRA and HWC or relevant authority for alteration, relocation etc of heritage objects or affecting heritage areas;
- Procedure for obtaining consent from relevant authorities for alteration or development affecting heritage areas;
- Procedure for identification and recording of newly discovered heritage resources; and,
- Heritage resource guidelines compliant with World Heritage Site guidelines.

7.6.2 Procedures for physical planning and development

- Developing management plans for heritage areas or sites (proactive planning i.e., not in the context of development proposals);
- Integration of heritage resource assessment into precinct development planning;
- Heritage impact assessment for proposals as part of environmental impact assessments required in terms of the Environmental Conservation Act; and,
- Heritage impact assessment procedure where required as a stand-alone study, e.g., in the context of alien plant eradication.

7.6.3 Procedures for management of specific heritage resources

Procedures will be required for heritage resources in the following categories:

- Places;
- Objects (including wrecks where relevant);
- Graves/burial sites;
- Archaeological and palaeontological sites; and,
- Buildings or remnants of buildings that are more than 60 years old.

7.6.4 Procedures for identified needs

- Managing invasive alien plants in the context of heritage landscapes;
- Managing heritage resource areas/sites on the context of public health and safety (including fire hazard and danger posed by senescent trees);
- Managing heritage resource areas in the context of slope stability or maintenance/rehabilitation of river bank morphology;
- Monitoring/audit of heritage resources; and.
- Interpreting heritage resources.

7.7 Conclusion

The essential next step in taking the HRMP further is to enable stakeholders to assist in the identification and determination of significance of heritage resources, the further development of the heritage inventory, the design of the GIS digital layers and management tools, and to inform the approach to their future management.

This Status Report has presented the key findings of the legal review, the stakeholder analysis, the reviews of international best practice and current management practice. These will collectively inform the development of the CPNP's Heritage Resources Management Plan.

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