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The Status of Urban Heritage Conservation: Competency of Local Government in the Western Cape Province

ABSTRACT

The National Heritage Resources Act was promulgated in the efforts of establishing effective conservation principles that would meet the needs of all South Africans. The Act makes provision for each level of government to have authority over its respective heritage resources. Donaldson (2005) anticipated that the acting authority in the Western Cape province, Heritage Western Cape, was likely to come under pressure soon. This was owing to the fact of increasing heritage resources (the phenomenon of aging) and that the Provincial Heritage Resources Authority oversaw both Grade II and III heritage resources since no local municipality was deemed fully competent. This research aimed to assess the capacity and competency of local government in the field of built heritage conservation of non-metropolitan municipalities in the Western Cape, South Africa. A qualitative research method was implemented in the form of a questionnaire with informal interviews to assist in the explorative nature of this paper. By mapping and recording the current state of heritage conservation practices in the province, it was found that two local municipalities were deemed competent, while several others had made strides towards conserving local heritage resources.

Keywords: built heritage, heritage competency, heritage conservation, heritage resource, local municipality

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INTRODUCTION

Active conservation is described as part of an integrated framework of urban heritage and the inclusion of the rest of the urban environment to involve a community in its long-term conservation strategies (Dupagne, 2004). The principles on which active conservation rests are: context of environmental control, public participation, knowledge (acquired from previous generations, locals, experiences, effectiveness of evaluation tools and decision-making procedures), promotion of improvement of social, economic, cultural and ecological performance through the development of an intervention plan. Deacon (2015) has asserted that if power were devolved to a local municipality (LM) there would be closer connection with communities, thereby promoting inclusion and interaction in heritage conservation. Avrami et al. (2000) refer to this type of participatory conservation as being a social activity in which the process of participation becomes part of heritage. Lempek and Tésits (2021) found that making use of locally formed organisations was often in areas that lacked resources and fulfil a much-needed role in a community. This type of conservation is likely to enhance the quality of life for residents and should consequently be incorporated into wider city planning. Community participation is a method of granting access to heritage management at a local level (Li et al., 2020). Such inclusion is anticipated to strengthen the community and give credibility to policies (Dupagne, 2004). Conversely, Tésits (2011) states that while these organisations are relied on by a community to fulfil various roles, their relationship with an authority was not always formalised.

The literature suggests that while most of the international documentation and national policies have followed a values-based approach, there is still room for change and development in the realm of heritage conservation. Bakri et al. (2015) chart various types of values coming from different fields, knowledge and disciplines. What is seen here is that progressively, over more than a century, is a broad range of value attributors, which also show gradual change over time. Much of these value systems stem from a dominant Western discourse, as described by Hall (1992), that societies are developed, industrialised and urbanised, as well as operate in a capitalist system that is secular and modern. By creating this value system, allowed for all other societies to be measured against it. Hall (1992) goes on to explain that those who produced the discourse invariably have power over those who are being represented, termed a top-down approach (Tweed & Sutherland, 2007). Additionally, it was found that while a Western-dominant discourse had been established inevitably to suit those societal norms, the framework was not necessarily suitable for other societies.

Smith (2006) refers to this Eurocentric approach as Authorised Heritage Discourse (AHD), which has seen strengthening support from the United Nations Educational, Scientific and Cultural Organization (UNESCO) from the middle of the previous century. Following with many international treaties and frameworks established to better understand the debates of the nature and value of heritage, including its identification, ascribed value, significance, conservation and therefore, assumed suitable management. AHD has led to a natural range of assumptions about the nature and meaning of heritage. Even though this has only been articulated this century, this way of practice has existed for much longer.

Roberts and Cohen (2014) describe that authorising heritage in an official capacity often comes from governing bodies and that the value of built cultural heritage is assessed by experts pertaining to explicit criteria (Bakri et al., 2015). As is commonplace with heritage conservation of the built environment in a Westernised society, identified resources are put onto an official register. This authorisation can go further by placing a plaque on the building giving it a grading and even a statement of significance. Likewise, this gives a built resource official status which also allows it access to special protective measures, including legal implications. Moreover, this has the potential to promote a building's value (variety of values here).

There are likely to be conflicting points of view when these heritage values are applied to other cultures (Smith, 2006). This sentiment is echoed by Tunbridge and Ashworth (1996), stating that dissonance is likely when imposing AHD on all societies. Another type of heritage discourse as discussed by Roberts and Cohen (2014), in the context of cultural heritage, is self-authorized heritage. In this mode, heritage is recognised by non-government entities. Again, criteria may be used to qualify these resources, but it is seen as a democratised heritage. Pendlebury (2013) identifies that first, conservation is a values-based activity, which depending on context would lead to a likely difference in values, therefore, second, conservation requires a need for discourse. It can be concluded that cultural heritage conservation is non-static and is continuously growing therefore, requiring continuous discourse (Tweed & Sutherland, 2007). Smith (2006) and Tweed and Sutherland (2007) agree that the heritage environment has become progressively complex, and they concur that heritage not only includes built structures of increasing age, but other tangible objects (natural or man-made) too. Therefore, the growth of heritage as a field of research and practice, as a relevant concept, its range of definitions and the applicable policies is inevitable.

Mason (2006, 2008) claims that heritage conservation must include contemporary values that are relevant to today's society. Approaches to heritage conservation are already reflecting noticeable changes and movements towards a landscape-based style (Veldpaus et al., 2013) which allow for a broader and more inclusive method of conservation, including elements from both human creation and nature (UNESCO, 2011). Kozłowski and Vass-Bowen (1997) note that while conservation and development previously seemed to operate in vacuums, devoid of any context, practice now shows conservation making provision for development as well as development taking cognisance of heritage resources (Pendlebury, 2013). Awareness and compromise in both camps result in "protective management practices" as termed by Kozłowski and Vass-Bowen (1997) and lead to a cohesive evolution. However, Chirikure (2013) remarks how much more compromise is needed for there to be true success, as these practices can only be applied to identified tangible resources, which enjoy a legal protective status. In the context of the built environment, examples are buildings, structures and demarcated precincts. Nevertheless, Poulis (2010) notes that the weaknesses in the values-based approach have become more evident, and that the tide is turning towards living heritage sites where the actions in the present are noted as the most important and relevant. Therefore, heritage conservation is likely to see a movement of decentralisation and devolution of power to allow for identification, management and conservation done by local communities (Deacon, 2015). Whatever the progress of heritage conserva-

tion, in Southern Africa it is still seen as vastly Eurocentric and often disregards already established traditional practices (Chirikure et al., 2010).

The reality in South Africa, and many other previously colonised nations, is that the culture and the operations of heritage conservation have often, and most likely still are, those of the colonising power and tainted with Eurocentric subjectivity. This has often led to entire cultures being disregarded as the artefacts of minority cultures were not conserved because their value was regarded as negligible. Heritage in minority cultures was, and still is, intangible by nature, something the Eurocentric culture did not observe or find any value in (Deacon, 2020). Consequently, such heritage was more likely to be disregarded. The democratic government of South Africa aimed to rectify such wrongs by implementing national legislation that allows for a seamless integration of national, provincial and local governments, and for inclusive practices in heritage conservation, and this is apparent in the National Heritage Resources Act (NHRA) (South Africa, 1999). The Act also aims to the practice of heritage conservation more inclusive by creating several categories for resources. The devolution of power goes right down to the lowest level of government, namely LMs, which have the closest contact with communities, so enabling inclusion and interaction in the conservation of their heritage resources (Donaldson, 2005; Deacon, 2015). It is assumed that heritage conservation is best accomplished at a local level. This is in line with the definition offered by the Council of Europe (2006) whereby heritage is described as a resource that a community identifies with, although not necessarily owning it, and has some form of stakeholder value.

The country's history over the past century has seen a progressive development in South African law with respect to the conservation of built heritage. Some of these developments run parallel to developments reported in the international literature on the same topic. The body of law has moved away from the exclusive conservation for the minority of people to the inclusive conservation for everyone. Concurrently, there is a movement away from individual monuments towards landscapes and entire areas, giving rise to inclusivity of all cultures and communities (Rössler, 2000; UNESCO, 2011). However, Ndoró (2005) and Ndlovu (2011) both argue that this is not the case in South Africa, as there is still bias towards colonial-based heritage resources and conservation practices.

Tweed and Sutherland (2007) promote a bottom-up approach to conservation that comes from within a community, termed "heritage by appropriation", whereby a community makes use and finds value in resources leading to thoughtful protection. Less obvious items, such as street patterns or urban layout, are included in conservation practices, which adds value to already protected single buildings, monuments or structures. However, Tweed and Sutherland (2007) argue that these "lesser" items are more than just context, and are often overlooked by top-down experts.

Although not the focus of this review, it is important to acknowledge the significance of intangible heritage and its place in the field of heritage conservation. There are varying avenues of thought on heritage, its importance and its focus (Mason & Avrami, 2002; Pendlebury, 2013). While heritage is divided (presumably for ease of categorisation) into tangible and intangible parts, many commentators have made the point that the one part cannot exist without the other. Townsend (2004) remarks that intangible heritage practices give meaning to tangible heritage manifestations. Contrarily, Smith (2006) unequivocally states (even noting that many will disagree) that there is no such thing as tan-

gible heritage, only the intangible as heritage is an action, not an item. Within the sub-category of built heritage conservation, there is growth regarding the inclusion of various physical items, as well as actions, bolstering the inclusive landscape approach.

In the South African context, intangible heritage is termed living heritage in the NHRA, which includes but is not limited to, cultural tradition, oral history, performance, ritual, popular memory, skills, techniques and indigenous knowledge systems (South Africa, 1999). Living heritage also includes the holistic approach to nature, societies and societal relationships. Ndlovu (2011) acknowledges that while the NHRA represents and protects the heritage of democratic South Africa, it is more inclusive than previous legislation but considers intangible heritage to be marginalised regarding recognition and rightful conservation.

The three spheres of government, national, provincial and local, are mandated to make sure that these practices are carried out and are of benefit to all South Africans. The NHRA and South African Heritage Resources Agency (SAHRA) oversee all national heritage resources, collectively categorised as Grade I heritage. The provincial heritage resource authorities recognised by NHRA and SAHRA oversee all provincial heritage resources which are categorised as Grade II heritage resources. Local governments are liable for all Grade III heritage resources. Local, district or metropolitan municipalities must be certified competent by the provincial minister to be allowed jurisdiction over their own local heritage resources. The NHRA specifies that if a local government is not authorised to maintain its heritage resources, the responsibility falls on the superior authority (South Africa, 1999).

The Municipal Systems Act (South Africa, 2000) promotes the involvement of communities in the conservation of their heritage and makes provision for LMs to take ownership of and the responsibility for managing their local heritage resources. Again, this aligns closely with the international literature that attests to an increase in public participation, reported for example by Parkinson et al. (2016). This Act makes provision for LMs to gain capacity and take control of their own heritage resources.

The PHRA has the power to deem a subordinate authority competent should they meet predetermined criteria. This will involve the identification of (i) LMs have approved or proposed heritage areas with the necessary protective provisions in terms of section 31(7) of the NHRA in place; (ii) LMs have approved inventories (which in the case of local authorities may be partially approved) which may be used by HWC to select sites to be protected as Grade III on the Register (the official document pertaining to local heritage resources and their respective gradings, as per section 30(11) of the Act); (iii) LMs have administrative staff, (considering the size of each local authority) who will be responsible for processing applications for permits under the NHRA. In the case of small local authorities, it may not be possible to have a dedicated heritage officer, a role probably performed by another official; and (iv) LMs have a committee which may comprise officials and persons sourced from outside the local authority with the requisite expertise to assess and decide on applications (this should follow section 10 of the Act).

Currently, of the nine provinces in South Africa only three Provincial Heritage Resource Agencies (PHRA) have full competency over their heritage resources, the remaining six all having only partial competency. Heritage Western Cape (HWC) is one of the three competent provincial authorities, the other two are the PHRA's of KwaZulu-Natal and Eastern Cape, as assessed by SAHRA. Two

local authorities within HWC's jurisdiction have applied for competency at a local level, namely the City of Cape Town, a metropolitan municipality, and Drakenstein Municipality, a local authority (Jackson et al., 2019). Heritage conservation of the built environment at a local government in South Africa has received little attention in the literature (Donaldson, 2005; Chirikure, 2013; Buchanan & Donaldson, 2020). Ndlovu (2011) acknowledges that while the NHRA represents and protects the heritage of democratic South Africa and is more inclusive than previous legislation, it still fails to include selected aspects of a broader topic.

South Africa's legal framework is set up in such a way that shows it to be technically advanced, inclusive of national acts, provincial regulations and legislation as well as local by-laws. All levels of government, from National right down to LMs are integral in the management of heritage resources. However, this does not guarantee its efficacy. When scrutinising the operations of LMs, as they are included in heritage conservation due to their geographical jurisdiction, it is found that often, heritage conservation is not high up on their service delivery objectives (Rautenbach et al., 2018). Currently, heritage management in South Africa has only seen limited success due to its segregation from local planning (Townsend, 2004), even though heritage conservation is part and parcel of urban functions (Davie, 2019). A review of the requirements and duties of LMs regarding heritage conservation and resource management, as earmarked in various national acts as well as provincial legislation, shows their participation to be imperative (Steenkamp, 2021).

Pentz and Albert (2023) attempt to map and record the current state of heritage conservation to gain a better understanding of the practice within a designated area. Similarly, with the discussed context, it is the aim of the paper to assess urban heritage conservation capability and competency of each non-metropolitan LM in the Western Cape. This would result in a comprehensive matrix of the elements found in heritage conservation, including the capabilities of local government, cities and towns selected. Additionally, the matrix would highlight the challenges faced by local governments in heritage conservation, and more importantly produce a model with which any future research can assess such capabilities for any South African LM, city or town.

METHODS

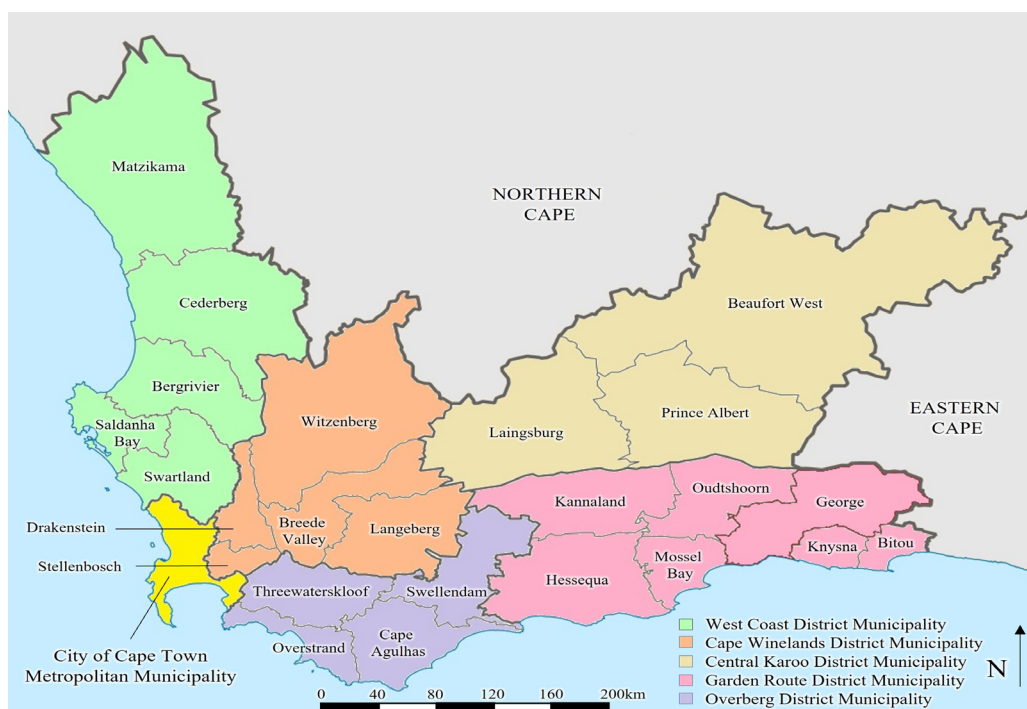
As this study attempted to better understand the practices implemented and efforts made by LMs and their communities to protect their built urban heritage resources, a suitable tool was needed to assess the current practices. A questionnaire was designed to elicit information about the capacity of a LM regarding the management of heritage conservation within its area. A useful model questionnaire was found in a survey conducted by the Australian Department of Planning and Development (Heritage Victoria, 2012), and it was adapted for the South African context.

Considering the above-mentioned aim and subsequent objectives, it would be necessary to collect information available in the public domain as well as it would be essential to contact local and provincial government in the Western Cape for supplementary information. It will be necessary to

identify other parties involved in the conservation of heritage resources in the province. The following methods were used in the effort of reaching the above objectives:

The questionnaire was divided into four parts (knowing, protecting, supporting and communicating) and each part was distributed to the respondents separately. The initial phase of the survey aimed to determine the status of each LM's capabilities. Phase two sought to identify the methods employed by LMs to protect and conserve local heritage resources. The third phase was to determine the type of support received by LMs in conserving Grade III heritage resources. The final phase of the survey investigated how LMs communicate with their constituents and the methods used to promote heritage conservation and management of local heritage resources. Because the study was explorative, the qualitative questions allowed for new themes, categories and relationships to emerge for investigation. Twenty-four LMs in the Western Cape were identified and contact details obtained from the respective municipality websites (Figure 1). A spreadsheet was created to categorise and store all relevant contact information. Each LM was contacted, and a suitable prospective respondent was identified, and the person's email address was confirmed. The nature of the study, survey and questionnaire was briefly explained, and any queries were answered. During the initial phone call, a good rapport was established with each respondent. This allowed for informal interviewing to occur in follow-up phone calls. All 24 LMs committed to participate in the survey by answering the questionnaire. An email was sent to each identified respondent confirming the initial contact phone call and their willingness to participate.

Figure 1. Metropolitan, district and local municipalities in the Western Cape province



Data collection occurred over a period of six months, from August 2020 to January 2021. Following the emailing of the first part and its submission, subsequent parts were only sent when the previous part had been completed. Follow-up phone calls were made, and emails sent to check on the progress

made by the respondents and to encourage them to submit their questionnaire parts. During the follow-up phone calls informal interviewing was done. Notes were made during these phone calls, transcribed later and pseudonyms assigned to assure anonymity. The transcribed interviews served as information for further assessing a LM's competency regarding the conservation of Grade III resources. Phone calls lasted from five minutes to one hour. A total of seven hours was spent speaking to municipality respondents. Data collection continued until the themes, categories and relationships became saturated as no new information was revealed and municipality respondents were no longer willing to respond.

As suggested by Veldpaus et al. (2013), content analyses of current legislation in each LM, including integrated development plan (IDP), spatial development framework (SDF) and any regulations pertaining to heritage conservation, was also performed. Words and phrases pertaining to heritage conservation were searched for in both IDP and SDP documents. Various themes, categories and relationships emerged throughout the data collection process. Themes such as budget or finances, skills or expertise, insufficient data or outdated information and a lack of knowledge often presented themselves in the form of constraints or restrictions identified by municipality respondents. Regarding relationships between entities, these varied from non-existent to established. Similarities and differences were found among municipality responses, themes, categories and relationships were tabulated and these were categorised accordingly. The characteristics observed were then described to help understand the nature of the conservation of built heritage Grade III resources at local government level. Additional information was obtained from sources in the public realm like Heritage Western Cape (2020) and The Heritage Portal (2020).

RESULTS

The current state of heritage conservation at local municipal level

The questionnaire was extensive, comprising of 187 questions in total, resulting in only 14 (58%) of the 24 municipalities completing the entire questionnaire. To make participation more manageable, the questionnaire was split into four parts, which resulted in varying levels of completeness. Part one has 22/24 (92%) completed, part two has 20/24 (83%) completed, part three has 14/24 (58%) completed and part four has 15/24 (63%) completed. The collected data from each of the phases as well as additional information found in the public realm is discussed below.

There are typically two methods employed when identifying and subsequently protecting built heritage resources, first, by creating a list of resources and, second, by declaring a designated area where resources are located (Tweed & Sutherland, 2007). Similarly, the NHRA provides several tools to enable the management of built heritage resources, by embarking on a survey of potential resources, from which a register can be created, significance assigned, and an appropriated grading allocated (South Africa, 1999).

Each LM was asked if any form of heritage study, whether broad to detailed investigation, was undertaken in their respective municipal area. As practiced in South Africa (1999), a broad heritage study can include surveying (to identify and map resources), grading of resources, inclusion of significance statements, formalisation of registers and designation of precincts. Drakenstein, Hessequa, Knysna, Laingsburg, Langeberg, Mossel Bay, Overstrand, Prince Albert, Saldanha Bay, Stellenbosch, Swartland and Swellendam municipalities all responded with having completed a heritage study within their municipal area. The following municipalities, Beaufort West, Berg River, Bitou, Breede Valley, Cape Agulhas, Cederberg, Kannaland, Matzikama, Oudtshoorn and Witzenberg, all indicated that they did not have a heritage study in their municipal area. George and Theewaterskloof municipalities did not respond to any part of the survey.

It was found that twelve (55%) of the 22 responding municipalities have completed a heritage study, with the majority (83%) focusing on the built environment (Table 1). Nine LMs felt that their heritage studies adequately covered other types of heritage places and not only elements from the built environment. It was reported that three LMs also included landscapes as part of their study, with remaining LMs each including either graves, protected zones, scenic routes, archaeology, shipwrecks or Khoisan heritage as part of their study.

Table 1. Local Municipalities with a heritage study and their respective foci

Municipality	Buildings and structures	Protection zones	Landscapes	Scenic routes	Archaeology	Graves	Shipwrecks	Khoisan heritage	No detail given
Drakenstein									x
Hessequa	x								
Knysna	x								
Laingsburg	x								
Langeberg	x								
Mossel Bay	x								
Overstrand	x	x	x			x	x		
Prince Albert	x								
Saldanha Bay			x	x	x			x	
Stellenbosch	x		x						
Swartland	x								
Swellendam	x								

However, seven of the 12 LMs reported that their heritage studies did not adequately consider prehistoric, pre-colonial, colonial, previously disadvantaged and democratic heritage. Of the 12 municipalities with a heritage study, eight (67%) were unanimous in stating that there was a need to identify, assess and document places of non-colonial significance, archaeological significance and natural significance. Several LMs went on to give more detail, indicating that their study lacked diversity, inclusivity and detail. It was found that eight (67%) of the twelve municipalities agreed that within their currently identified heritage study further investigation was needed which would include identification, assessment and documentation. All 12 municipal respondents were unanimous that there were still information gaps in their studies.

The various reasons given why municipalities had not completed a heritage study in their area were regrouped in four types (Table 2). Lack of funding or insufficient budget was cited by four municipalities. Two LMs indicated that there was a lack of skills and expertise on the matter and one LMs said they had insufficient data to complete a heritage survey. Three LMs were unable to say why a heritage study had not been completed in their geographical area.

Table 2. Reasons for surveyed municipalities not having a heritage study

Municipality	Reasons			
	Limited finances or budget	Skills and expertise lacking	Insufficient data	Reason unknown
Beaufort West			x	
Bergrivier		x		
Bitou	x	x		
Breede Valley	x			
Cape Agulhas				
Cederberg				x
Kannaland				x
Matzikama	x			
Oudtshoorn	x			
Witzenberg				x

As almost half of the LMs in the province indicated that they did not have a heritage study, it was necessary to find out what other methods, if any, are employed for heritage resource protection. A lack of a heritage study does not exclude heritage resources from other protective measures. Such alternative protective measures are listed as follows: statutory protection, local policy development, and appropriate management of resources.

All built heritage resources receive statutory protection from the NHRA if they qualify by being at least 60 years old. Built heritage resources can also enjoy protection, via the NHRA and Spatial Planning and Land Use Management Act (SPLUMA), if the resource is in a heritage precinct. A designated heritage precinct can come about in two ways in a municipality, either under Section 31 of the NHRA (South Africa 1999) or more recently via a municipal spatial development framework as specified in the SPLUMA (South Africa, 2013). The latter national act stipulates that municipalities are required to create an inclusive zoning scheme as part of their municipal by-laws. Information was found in the public domain to show which municipalities make use of either a protection area or a zoning scheme to safeguard built heritage resources. Table 3 indicates methods used, in addition to the statutory requirements of the NHRA, to protect built heritage resources in their respective municipal areas.

Some LMs respondents reported that their municipality made use of local volunteer groups that would assist with building applications and facilitate communications with the PHRA. It was necessary to determine the methods of support given and needed by LMs regarding heritage conservation and management of local resources. The support categories considered were personnel, planning and advisory capacities within LMs as well as support given by communities via volunteer organisations.

Table 3. Protective measures for heritage resources implemented by local municipalities

Heritage study completed						
Municipality*	Listed in municipal planning scheme	Heritage precinct	Grading	Statement of significance	Awareness of assessment	No response given
Drakenstein		x				
Hessequa			x	x		
Knysna**					x	
Laingsburg			x	x		
Langeberg		x				
Mossel Bay						x
Overstrand	x	x	x	x	x	
Prince Albert						x
Saldanha Bay						x
Stellenbosch	x	x	x	x		
Swartland				x		
Swellendam		x				
No heritage study						
Beaufort West						x
Berg River						x
Bitou						x
Brede Valley					x	
Cape Agulhas			x	x	x	
Cederberg						x
Kannaland					x	
Matzikama						x
Oudtshoorn						x
Witzenberg						x

* George and Theewaterskloof municipalities did not respond to the survey.

** Knysna Municipality respondent indicated that even though there was a heritage study in their area, HWC had not accepted this yet.

Fourteen (58%) of 24 municipalities responded to this part of the survey. It was reported that heritage personnel in the LMs were found to not always occupy the same positions or act in similar capacities. Personnel having direct impact on heritage decisions could work in the town planning or building departments functioning as heritage officers or advisors (of a different directorate) or as members of advisory committees (Table 4). Half of the 14 responding municipalities confirmed that heritage advice was received from either an individual acting as heritage advisor or from an advisory committee. Only six (43%) of the 14 responding municipalities reported that their heritage advisors met the heritage demands of communities and municipal staff. Mossel Bay and Overstrand make use of volunteer heritage committees which provide input when needed and this adequately meets the demands of the communities and municipal staff. It is significant that no district municipality had a heritage advisor.

Table 4. Heritage officers, advisory committees and limitations on creating these positions

Municipality*	Heritage officer	Constraints				Another department or organisation fulfils this	Community heritage advisory committee
		Financial	Human resources	Organisational structure	Knowledge		
Bitou		x		x		x	
Cederberg			x				
Drakenstein	x						x
Kannaland						x	
Matzikama						x	
Mossel Bay					x		x
Oudtshoorn	x						x
Overstrand		x					x
Prince Albert		x	x			x	x
Saldanha Bay	x					x	
Stellenbosch	x						
Swellendam							x
Witzenberg				x			

*Hessequa Municipality did not answer this question.

Several reasons were identified for municipalities not having a heritage officer in their planning department (or any other department). Financial constraints were cited by three municipalities for not having a heritage officer. Lack of capacity, lack of structure and lack of built heritage resources were cited for some municipalities not having a dedicated heritage officer. Several LM respondents indicated that a heritage position fell under another department or directorate. Six (43%) of the 14 municipalities had independent decision-making committees dedicated to heritage applications.

Community-based organisations within municipal areas

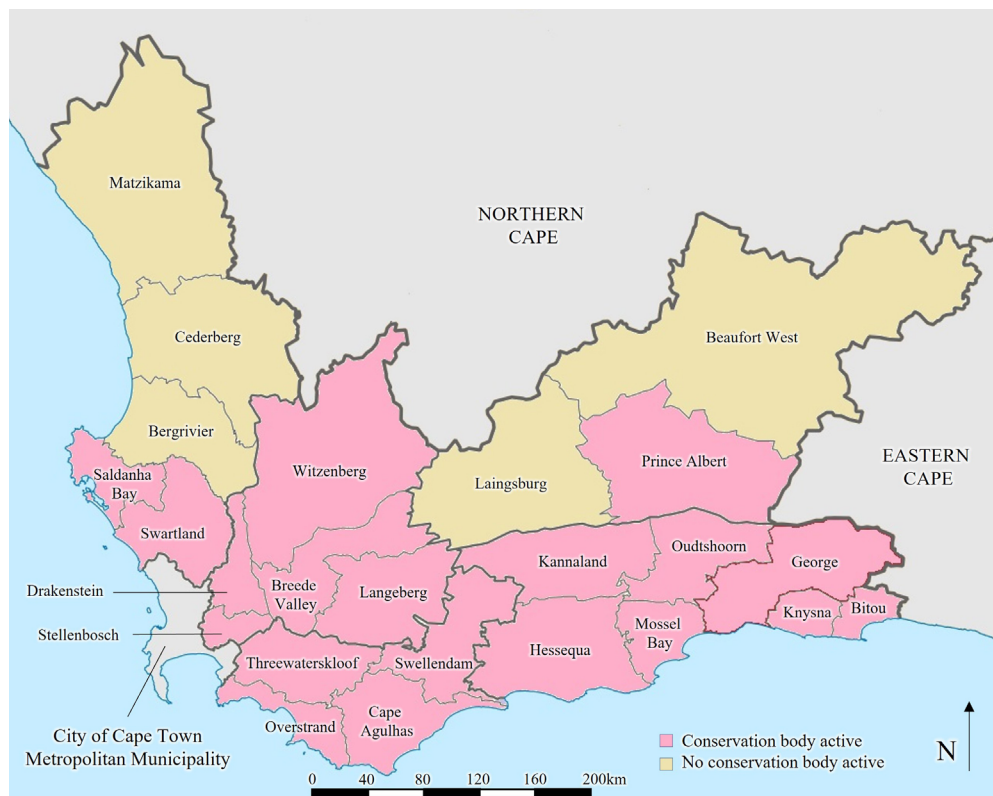
The NHRA makes provision for the inclusion of LMs to integrate heritage conservation within local planning policy and action. Stemming from the framework as set out by SAHRA, Townsend (2004) calls on local communities to assist LMs and provincial governments by forming community-based organisations (CBO), with a heritage focus. Several LMs remarked that they had an established relationship and relied on volunteer organisations within their geographical area. The details of the relationship were also discussed. Several LMs indicated that they include and make use of the community through volunteer organisations regarding heritage conservation. These organisations fulfil partial responsibilities in public office as well as communicating knowledge to the broader communities.

These volunteer, heritage-focused organisations have various structural arrangements, such as community-based organisations (CBOs), non-governmental organisations (NGOs) or non-profit organisations (NPOs) as well as other structures. Nineteen (79%) municipalities have one or more heritage-focused organisations operating in their municipal areas.

Only Cederberg and Kannaland municipalities specifically stated in their response that they did not have an organisation involved in heritage matters operating in their municipal areas. However, investigations found that no organisations of this nature were found in Bergrivier, Laingsburg or Langeberg municipalities either. Thirteen municipalities (Bitou, Breede Valley, Hessequa, Knysna, Matzikama, Mossel Bay, Oudtshoorn, Overstrand, Prince Albert, Saldanha Bay, Stellenbosch, Swartland and Witzenberg) do partner with such organisations to various extents when handling heritage conservation and management matters (Figure 2). Their relationships with their respective heritage organisations were found to be in a broad range from “non-existent” to “constant communication”.

However, this does not mean that these organisations work with their LMs. Some organisations are not affiliated with HWC, but this does not imply that they cannot operate with heritage-focused interests. Four municipalities gave reasons for not engaging with private heritage-focused organisations in their areas.

Figure 2. Local municipalities with affiliated conservation bodies of Heritage Western Cape within their jurisdiction



Swellendam Municipality reported having no requests for engagement from any private organisations. They are aware of one or more organisations operating in the area but have not been proactive in connecting with them. Saldanha Bay Municipality is aware of Khoisan groups “but they are not [built] heritage focused” (Saldanha Bay Municipality respondent, 2020) and they do not know of any other organisations in their area. This observation led to the question of what Saldanha Bay Municipality considered to be part of the heritage and worthy of conservation. In the Cape Agulhas Municipal area a heritage committee of private citizens is currently being assembled. Beaufort West Municipality reported that previously there was a committee, but due to the aging of group members, it no longer

existed. Hessequa Municipality cited a lack of resources (time and personnel) for not having engaged with private organisations in the area, but further investigation confirmed that no such organisations were operating in the area.

Cederberg Municipality noted that engagement with heritage-focused organisations was part of a different department, namely the local economic development (LED). Upon inspection of the LED implementation plan (Cederberg Municipality, 2017) no mention of heritage or conservation was found in the document. However, the LED strategy from the previous year mentions diverse resources in the municipal region that have potential for economic gain (Cederberg Municipality, 2016).

Suggested solutions for better resource management

Veldpaus et al. (2013) suggest a progressive movement toward a broader approach in heritage conservation. Specifically in the built environment, there is an increasing importance placed on townscapes, streetscapes and other elements that contribute to the overall experience of users (Rössler, 2000; UNESCO, 2011). As there are changes to how heritage and its conservation are perceived, there are related changes in policy or, at least, indications that policy should change to better suit heritage conservation that is appropriate to changing times. In the current mode, heritage conservation and its relevant authorities are seeing increased pressure not only from increasing urbanisation (Logan, 2012; Zhang & Li, 2016), but also with increasing numbers of heritage-eligible buildings and structures (Donaldson, 2005). The reality of this prediction is now confirmed by HWC where the PHRA has revealed that they are being overwhelmed by volumes of heritage resources applications (Heritage Western Cape, personal communication, 2019). It was reported by Swellendam Municipality respondent (2020) that their communications with the PHRA were jeopardised as HWC was understaffed.

In the wider South African context there is a noticeable disconnect between the national legislation, specifically the NHRA, and the current operations of governmental authorities tasked with heritage conservation. The NHRA makes provision for each level of government to have control over their respective level of built heritage resources. In the cases of local authorities and Grade III heritage buildings, only two municipalities (City of Cape Town and Drakenstein Municipality) in the country have partially gained control of their respective built heritage resources (Jackson et al., 2019) since the promulgation of the NHRA in 1999. This posed the question of what is hindering the devolution of power to the lowest competent authority?

The complex reality of heritage conservation

When looking at the requirements stated by the PHRA and the status quo of local government operations regarding built heritage conservation, many challenges are faced by each authority, which inhibit their ability to successfully protect heritage or exercise any power over it. The four requirements are summarised and then dealt with individually.

First, the NHRA and the PHRA both require that a competent municipality already possesses or has proposed a heritage precinct. The benefits of a heritage precinct are that it allows for protection of heritage resources and development within a demarcated area. Heritage precincts may also incorporate additional rules and regulations to promote heritage and its conservation. When a heritage precinct is established in a municipality, there is a likelihood that it could be expanded (Buchanan & Donaldson, 2020), or additional areas be established resulting in multiple precincts, and without the protection of the context in which a resource is located, the resource becomes vulnerable (Rautenbach et al., 2018).

The second requirement of the PHRA (Meyer, personal communication, 2020) is a LM has either an approved or a proposed inventory of Grade III built heritage resources. Twelve (58%) of the 22 responding LMs in the Western Cape had completed a heritage study that included a heritage register. All the municipalities that had a heritage register admitted shortcomings regarding the completeness of their study or the accuracy of their findings. Some municipalities were more successful as five indicated completion of grading and six indicated significance statements for local heritage resources. Eight municipalities were unanimous about their requiring further identification, assessment and documentation of Grade III heritage resources.

A third requirement of the PHRA to deem a local authority competent is the availability of personnel for administrative tasks. The fourth requirement set by the PHRA is that a LM must have an independent decision-making committee that determines the outcomes of heritage applications made. Only six (25%) of the 24 LMs had an organisation like this at their disposal. This is a significant finding as the majority of LMs did not have the ability to make decisions on heritage applications, therefore matters are reverted to the PHRA for decision.

Competency rating of local municipalities

What first appeared to be a simple checkbox exercise turned out to be more complex as LMs did not always have information readily available, resulting in further research. Each of the four requirements identified for heritage capability and competency was allocated a weighting of 25%, therefore indicating that 100% has competence and capability for authority of local heritage resources. The exercise established that of the 24 LMs studied in the Western Cape, only two (Drakenstein and Prince Albert) fulfilled all the criteria set by the NHRA and the PHRA (Table 5). The other municipalities may be able to fulfil the requirements with a few adjustments. The goal of the research was to establish the capability and competency of each local government in the Western Cape regarding conservation and management of Grade III heritage resources in respective municipal areas. The assessment helps to better understand the future challenges (increasing volumes of local heritage assets, limitations of finances, personnel and information) faced by local government for the future of heritage conservation within the province.

Five LMs (Mossel Bay, Oudtshoorn, Overstrand, Stellenbosch and Swellendam) obtain 75%. Only Oudtshoorn Municipality lacks an approved or proposed heritage inventory. Drawing on experiences from other LMs, Oudtshoorn Municipality could issue a call to local communities to assist with the

identification, assessment and documentation of local heritage resources. Three LMs do not have heritage personnel, this could be remedied in various ways. First, LMs could call on community members with knowledge and experience in the field of heritage conservation to assist, this could be on a volunteer basis, or a budget could be made available to assist with costs. Second, Mossel Bay Municipality does not have heritage personnel, but could come to an agreement with a neighbouring LM and share resources. Overstrand and Swellendam municipalities both do not have heritage personnel; they too could call on the local community to assist them, or they could appoint a heritage officer to be shared between the two LMs. Stellenbosch Municipality does not have a decision-making committee, again, the LM could make use of the community, such as existing heritage-focused organisations, to fulfil this role.

Table 5. Rating of municipalities for meeting the requirements for of capability and competency

Municipality	Heritage precinct*	Heritage inventory**	Heritage personnel	Decision-making Committee	Total weighting
Drakenstein	x	x	x	x	100
Prince Albert	x	x	x	x	100
Mossel Bay	x	x		x	75
Oudtshoorn	x		x	x	75
Overstrand	x	x		x	75
Stellenbosch	x	x	x		75
Swellendam	x	x		x	75
Laingsburg	x	x			50
Langeberg	x	x			50
Saldanha Bay	x	x			50
Swartland	x	x			50
Beaufort West	x				25
Breede Valley	x				25
Cape Agulhas	x				25
George	x				25
Hessequa		x			25
Kannaland	x				25
Knysna		x			25
Theewaterskloof	x				25
Witzenberg	x				25
Bergrivier					0
Bitou					0
Cederberg					0
Matzikama					0

*Requirements by HWC indicates approved or proposed heritage precinct

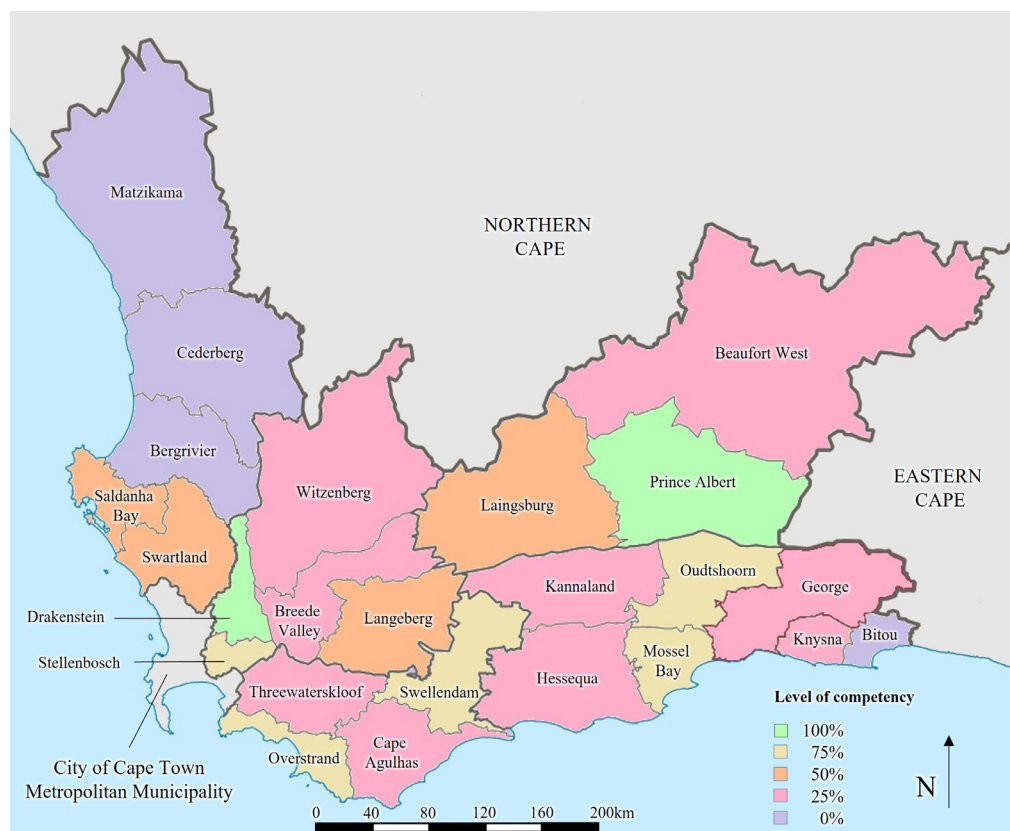
**Requirements by HWC indicates approved or proposed heritage register

Four LMs (Laingsburg, Langeberg, Saldanha Bay and Swartland) obtain 50%, all lacking heritage personnel and decision-making committees. Similarly, these LMs could bolster their ability to handle the conservation of local heritage resources in various ways. The position of heritage personnel could be filled by calling on community members with knowledge and experience in the field of heritage

conservation to assist. This could be on a volunteer basis, or a budget could be made to assist with costs. Neighbouring LMs or those of the same district municipality could share heritage personnel and resources when appointing an appropriate heritage officer between the two LMs. All four LMs did not have decision-making committees. Saldanha Bay and Swartland municipalities both have heritage-focused organisations operating in their respective municipal areas and could approach these organisations to assist. No volunteer heritage-focused organisations were found to be operating in Laingsburg and Langeberg municipalities, therefore making this option not viable. However, each LM could partner with other more established LMs in their district municipality and share resources to solve this problem.

The above-mentioned adjustments and recommendations are ideas that LMs could implement, they could be used as temporary until LMs are able to have approved registers, fulfil personnel positions and have permanent decision-making committees. By comparison, the other 13 municipalities that scored 0–25% still have a long way to go. Ten of these LMs have volunteer heritage-focused organisations operating in their respective municipal areas and there is a possibility to include communities in the establishment of heritage precincts, heritage areas, heritage personnel and heritage decision-making committees for the conservation of local heritage resources.

Figure 3. Levels of competency of local municipalities in the Western Cape to deal with built heritage resources



The tabled findings indicate rating of municipalities for meeting the requirements for capability and competency were mapped in Figure 3 to better demonstrate the distribution of the levels of competency of LMs in the Western Cape to deal with built heritage resources. This research has nevertheless

identified the LMs that are likely to be successful in gaining heritage competency. Moreover, this exercise was also able to identify municipalities that show promise for gaining competency with some outside assistance. Various challenges and constraints were identified regarding municipalities that are not able to meet the prerequisite heritage competency criteria. In subsections that follow a summary of how LMs fared with each requirement issued by HWC in accordance with the NHRA is presented. According to Table 5 and Figure 3, only two LMs are eligible for heritage competency. They are closely followed by five LMs that have met three of the four requirements and four have met two. It is telling that most of the LMs lack either heritage personnel or a heritage decision-making committee. As previously shown in Figure 2, the majority (79%) of LMs have volunteer heritage-focused organisations operating in their areas. The lack of personnel and committees can be remedied by LMs reaching out to and/or forming public-private partnerships with heritage-focused organisations, so allowing LMs to potentially gain control and better manage their local heritage resources.

In addition to the set criteria of the NHRA and PHRA, some LMs have gone further than required to gain the mandate of local heritage authority by relying heavily on their communities to identify, assess and document Grade III heritage resources. But in doing so information was made less readily available to the public than it could or should have been. This with other constraints hinder LMs in promoting heritage awareness and result in lost opportunities for communicating and connecting with their local communities on heritage matters.

Considering only two of a potential 24 LMs showed evidence to be heritage competent, several recommendations would provide a variety of opportunities for progress towards competency. Given their varying circumstances, LMs could find suitable modes to gain authority of their respective local heritage resources. However, while the focus of these recommendations is primarily for LMs and their potential partners, they are not limited to these entities. Furthermore, the PHRA should put into motion efforts to either decentralise its current heritage conservation and management operations or allow for a devolution of power to LMs to take place. It is also recommended that heritage-focused volunteer organisations take a strong positioning in heritage conservation and that LMs make use of this resource as it is readily available. By forming lasting partnerships with organisations LMs can make a stronger presence in the public eye and make heritage more inclusive, as in line with the intentions set out in the NHRA (South Africa, 1999).

CONCLUSIONS

The status quo in the Western Cape is that the PHRA has power over all Grade III heritage resources as no LM has yet been deemed competent, with the exceptions of the City of Cape Town (metropolitan municipality) and Drakenstein Municipality. But it is noteworthy that these authorities have only been granted partial competency. For South Africans to fully benefit from and enjoy their heritage resources it is unquestionably necessary to implement that which the NHRA set out to achieve over two decades ago. This research has indicated that the PHRA must either decentralise its current operations to successfully conserve heritage resources or devolve its power. The latter opinion is what

the Act stipulates and is strongly supported by the findings of this research. However, the Act does state that anybody can be designated, provided they fulfil the requirements. This would allow this function to either be outsourced to a private entity (such as an individual, company or organisation) or an established LM can partner with another to share resources. It is possible for district municipalities to take on some of these roles, especially for smaller LMs which cannot justify spending resources in this field.

By meeting the requirements set by the NHRA sections 30(11) and 31(7) of the Act as well as further conditions made mandatory by the PHRA, three substantial benefits will be realised for all parties involved. First, LMs gain control over their Grade III built heritage resources. Second, HWC's have pressure lifted off them through reduced workloads and the option to focus resources elsewhere. And third, but probably most important, the communities to which these resources belong, would have direct access to them and reap benefits from them. This brings this study back to the point of departure, that heritage conservation as part of the cultural landscape, is present, never finished and "always remains in a state of becoming" (Todeschini, 2011).

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