

of significance and to the relevant attributes of authenticity. For example:

- Many buildings and sites have considerable significance as evidence of particular historical events or periods or technologies.¹⁶ The significance of such heritage resources, particularly if the significance as historical evidence is great, rely on the fabric itself being protected in order to sustain its authenticity and provenance as evidence,¹⁷ which should not be 'falsified'.¹⁸
- Many buildings and sites are characterised by periodic change whose 'layers' signify growth and change, and whose (usually lesser) significance suggests/implies ongoing/continual functional growth and change.¹⁹
- Many buildings, complexes or 'set pieces' are important architectural objects or places designed by renowned architects, having positions in the history of architecture (local, regional or national), whose significance relies on their preservation, even restoration, as works of the art of architecture.²⁰
- Some sites/places are important because of events that took place (or still take place) there and, regardless of built form, are significant simply as the place of that event/activity.

5. PRINCIPLE: MANAGEMENT OF THE VISUAL SETTING/FRAME

In many cases, the significance of a heritage resource relies at least in part on its visual setting or frame.²¹ In such a case, the particular visual image or context should be protected by managing this frame/buffer/context.

6. PRINCIPLE: THE CONSULTATION OF INTERESTED PARTIES

In cases where significance has been established to be considerable, where that significance is claimed by heritage claimants, and where proposed interventions may impact on or affect that significance, the scrutiny, assessment and approval processes should include interested party consultation in respect of the likely impacts of the proposed intervention.²²

7. PRINCIPLE: SIGNIFICANCE, APPROPRIATE SKILLS AND COMPETENCE

The significances of the site and its surrounds and the potential for an intervention to have an impact on those significances should determine the skills of the assessors, designers and other practitioners employed to be responsible for all phases and components of such intervention. No professional engaged in working with heritage should carry out work that he/she is not competent to do.²³ This principle should apply equally to the composition of the authorities' decision-making structures.²⁴

THE SOUTH AFRICAN CONSTITUTION ESTABLISHES BOTH THE RIGHT OF EVERY PERSON/GROUP TO THEIR CULTURAL IDENTITY AND TO THE PROTECTION OF ANY COMPONENT OF THE ENVIRONMENT THAT THEIR IDENTITY MAY BE CONTINGENT UPON.

CONCLUSION

The seven principles articulated here do not exhaust the range of principles developed in the international (or other national) charters; they are well-established principles articulated in the charters that encourage clarity in decision-making. They are also echoed in the structure and provisions of the NHR Act.

Importantly, however, given the recognition that every claim of heritage invokes, however tentatively or indistinctly, state-action or responsibility, all heritage discourse must invoke the South African Constitution. It establishes both the right of every person/group to their cultural identity and to the protection of any component of the environment that their identity may be contingent upon²⁵ the right to just administration, as well as which is defined to be administration that is lawful, reasonable and fair.²⁶ ■

¹ OED, 1971. *Oxford English Dictionary: The compact edition*. Clarendon Press, Oxford.

² I rely in particular on the primary principles underpinning the 1964 Venice Charter and the 1994 Nara Document on Authenticity. These two international agreements contain all of the principles underpinning later charters and agreements, such as UNESCO's 1972 Protection of the World Cultural and Natural Heritage (and its Operational Guidelines) and the widely referred to Australian Burra Charter (of 1977, but regularly amended – most recently and extensively in 1999).

³ This relies on recognition of the primary role of 'the cultural community that has generated' the cultural heritage in question; cf. the 1994 Nara Document on Authenticity, throughout but, in particular, Article 8.

⁴ This definition echoes many other modern definitions.

⁵ This is now so widely accepted that it is unnecessary to cite an authority for this.

⁶ Nara, Article 8.

⁷ Nara, Article 13; cf. Operational Guidelines for World Heritage Sites, Article 82.

⁸ In the context of debate over cultural significance, 'authentic' can mean 'accurate', 'complete', 'of reliable or demonstrate provenance', 'comprised of its original material', etc.

⁹ Cf. Bonelli, R., 1959. *Architettura e Restauro*. Neri Pozza: Venice

¹⁰ The ICOMOS Australia Burra Charter (Articles 6.1 and 6.2) is clear in this regard.

¹¹ Nara, Articles 11 and 12, emphasise the range of values and significances of heritage resources.

¹² It is emphasised that the National Heritage Resources Act relies on this principle regarding types and degrees of significance (see Sections 3 and 7), which, in turn, determine which authority is (or should be) responsible (Section 8).

¹³ The Burra Charter, Art. 5.1, emphasises 'all' aspects of significance and the Nara Document, paras 6, 9 and 13 emphasise the variety of sources of information and the range of values underpinning significance(s).

¹⁴ This argument is well made by Waterton and Smith, 2010. *The Recognition and misrecognition of community heritage*, in *International Journal of Heritage Studies*, Vol. 16, Issue 1-2: pp4-15.

¹⁵ See the Burra Charter, para. 5.2.

¹⁶ See the Venice Charter, Articles 1 and 3.

¹⁷ Nara, para.s 10 and 13.

¹⁸ Venice Charter, Art. 9.

¹⁹ Venice Charter, Articles 11, 12 and 13; and Burra Charter, Art. 15.1.

²⁰ Venice Charter, Articles 3 and 7; and Nara Document, para. 13.

²¹ Venice Charter, Articles 1 and 6; and Burra Charter, Art. 8.

²² Burra Charter, Art. 12; and Nara Document, para. 11.

²³ Burra Charter, Articles 4.1 and 30; also, Venice Charter, Art. 9.

²⁴ The national Department for Environmental Affairs' 2014 Environmental Impact and Assessment and Management Strategy articulates this principle particularly clearly and firmly.

²⁵ *The Constitution of the Republic of South Africa*, 1996, Sections 24, 30 and 31.

²⁶ Constitution, Sections 25 and 33.