**NATIONAL ASSEMBLY**

**QUESTION NO. 1363- 2016**

**FOR WRITTEN REPLY**

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**“MR J L MAHLANGU (ANC) TO ASK THE MINISTER OF ARTS AND CULTURE:**

1. Whether he is aware (a) of the existence of a provincial heritage site, Canteen Kopje, in the Northern Cape, which is of archeological and heritage significance and is facing imminent destruction, (b) that research at the specified site began in the mid-20th century and has been on-going since 1997 (c) that various excavations in a number of locations at the site have revealed tools dating back 2,3 million years to the three phases of the Acheulean hand axe, Middle and Later Stone Age occupations, a Tswana/!Kora occupation relating closely to local communities and the remains of historic activities, (d) that a mining permit was issued in 2014 and the SA Heritage Resources Agency (SAHRA) successfully acquired a Cease Works Order which was lifted in March 2016 after which work by a diamond mining company commenced on 16 March 2016, (e) that the current mining programme will, conservatively estimated, destroy up to 40% of the heritage site, (f) that the fenced-off area includes the excavation areas of the University of the Witwatersrand and of Toronto and the area developed for tourism, (g) that no heritage impact assessment or archaeological impact assessment was conducted and the mining company does not have a heritage permit, which is in contravention of the National Heritage Resources Act, Act 25 of 1999, (h) that there is a conservation management plan for the site and (i) that our country has a constitutional, legal and moral obligation and responsibility to preserve and protect the heritage resources and resources with archaeological significance; if so, what steps does he intend to take to ensure the protection and preservation of the specified heritage resources;
2. in view of the lapses in adhering to the specified Act, what steps will SAHRA take to ensure that the specified heritage is preserved;
3. are there any other site(s) in the country facing a similar threat; if so, can he give the assurance that his department will support the heritage resources and protect them against the threat posed by mining and others?

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**REPLY:**

1. Yes, (a) I am aware of a heritage site called Canteen Kopje, a declared Provincial Heritage Site, located on Portion 9 of West Commonage 687, in the Barkley West District of the Northern Cape.

(b) The site was first declared as a National Monument on 29 January 1948 in terms of section 8 of the Natural and Historical Monuments, Relics and Antiquities Act, 1934. Under the current heritage act, the site enjoys protection at a provincial level.

(c) Although it is true that the significance of site was well known during the mid-20th century, local and international interest in the site waned during the second half of the 20th century. The site has been the focus of renewed research interest from the 1990s partly fuelled by significant steps forward in scientific methods, which allows for greater understanding of the formation of the site. Although the scientific work focuses on the behaviour of our earliest human ancestors, the site also contains important information about extant communities and the history and legacy of diamond mining in South Africa. Although the date of this occurrence is not known recent research by SAHRA indicates that Canteen Kopje may be the oldest known archaeological occurrence in South Africa.

(d) The Department of Mineral Resources issued a mining permit to Ms Jacky M. Wesi for Portion 5 of West Commonage, Barkley West in October 2014. Furthermore, a cease works order was issued to prevent the unnecessary destruction of significant heritage resources without the required mitigatory measures in place to prevent the undocumented destruction of such resources.

(e) The information provided to the heritage authorities and SAHRA, in particular, did not indicate that up to forty percent of the site would be mined,

(f) and specifically excluding the areas of current research by the Universities of Witwatersrand and Toronto. Similarly, according to the information provided the mining would have occurred outside the boundaries of the declared Provincial Heritage Site.

(g) This permit was issued without prior consultation with the appropriate heritage authorities. The heritage significance of the site and the provisions of the NHRA were communicated to relevant stakeholders.

(h) Yes I am aware of a Conservation Management plan for the site.

(i) Section 8 of the National Heritage Resources Act (Act 25 of 1999) promotes a three-tier system of Heritage Resources Management, in which national functions are the responsibility of the South African Heritage Resources Agency; provincial functions are the responsibility of the provincial heritage authority, and local level functions are the responsibility of local authorities.

1. A recent final court interdict granted by the Kimberley High Court has prevented any further mining on the declared site of Canteen Kopje. Although it is currently protected as a Provincial Heritage Site, SAHRA has initiated an administrative process to re-examine the grading of the site to possible Grade 1 status
2. To ensure that heritage resources are afforded the protection that it deserves it is important that the provisions of the NHRA are fully implemented. This means ensuring the provincial heritage authorities and local authorities are capacitated and adequately resourced. Currently, there are only three fully functioning provincial authorities ensuring compliance with the provisions of the NHRA. This means that the potential exists for the unwanted destruction of significant heritage resources.