

AUSTRALIA

Changing Legislative Protection Processes

Most Australian States and Territories have had heritage-place conservation legislation since the 1970s, but it is not uniform in type, provisions or use. Since the 1990s, the integration of heritage issues in planning decisions has become more general and specific heritage legislation is less used. However, the decline in public funding for heritage has lessened the opportunities to achieve optimum results.

After 25 years of operation, the role of the Australian Heritage Commission (established 1975) as the national leader in heritage management and major funding source has been reviewed and now changed, following lengthy consultation. New legislation that will complete the process is currently before Parliament. The scope of Commission activity will be substantially reduced, with roles devolving to State and local governments, some of which are less equipped to handle the responsibility.

Many heritage groups and State governments consider that the outcomes of this review constitute a major risk to Australia's heritage. The closure of the Register of the National Estate (13,000 items – less than half of which are the result of comprehensive survey work) is opposed. It has been vital for national heritage data collection and the only protection for some heritage places, but it will no longer be added to, although a smaller list of national icons is proposed. Serious gaps in the identification and conservation of heritage places will occur if State, Territory and local systems are not developed to fill the gaps left by the demise of the Register of the National Estate.

Australia ICOMOS,¹ appearing before the Senate Inquiry into these changes, indicated its belief that the proposed EPBC Bills² will adversely affect heritage management and unacceptably downgrade the independence of the proposed new national heritage body. It is also concerned about the lack of an active National Estate Register and yet further reduction in public funding to support heritage initiatives.

As the use of heritage legislation reduces and changes, the role of community interest groups becomes increasingly significant.

Community Reporting on Places at Risk

In 1998 the National Trust of Australia³ initiated a national endangered places programme, sourced by community nominations, to highlight cultural and natural heritage places or functions that they feel are threatened. The nominations are carefully assessed and the attendant publicity generated by the programme focuses public attention on heritage places in danger and on the processes available to conserve them. The Trust began the programme because 'in spite of the advances in legislative protection and the supposedly greater involvement of heritage matters in planning considerations, many places remain under threat'.⁴

This year's report includes details of the 2001 nominated sites, media releases, photographs and a report card on the previous year's nominated sites. 'Of the 31 places listed in the 2000 Endangered Places Report, only six, in the view of the National Trust, have resulted in a satisfactory outcome. Three have been lost forever and the future of 22 is still in abeyance pending further deliberations by various owners, mostly government agencies'.⁵ The losses include Toowong Swimming Pool, Brisbane; No. 2 Goods Shed, Docklands, Melbourne; and part of the southern

coastline of Victoria's Phillip Island, threatened by a hotel development.

In the National Trust's 2001 Endangered Places report, 32 places were listed (6 were re-nominated for the second time), representing site types varying from historic precincts, including early Canberra suburbs, pastoral settlements, industrial complexes, hospitals, railways, cricket grounds and churches, to major redundant defence sites.⁶

Threats identified in the Endangered Places Programme include:

- neglect and abandonment,
- damage and destruction,
- lack of resources and maintenance,
- inappropriate development and management, both to and around a place,
- redevelopment.

This year, the Australian Council of National Trusts noted that:

*The public perception of what heritage means differs markedly from those organisations, public and private, who have responsibility for its stewardship. Regrettably governments and other organisations seem to be intent on maximising the economic return and the retention of historic places, public open spaces, or habitats for endangered flora and fauna are not recognised as being valuable public assets.*⁷

The lack of government co-ordination and funding for cultural heritage are identified as major risk factors in another Australian Council of National Trust's report 'Cinderella revisited',⁸ which postulates that the lack of an overall government strategy for heritage funding into the new century, and its relatively decreasing funding base, is a short sighted investment decision in national cultural growth.

Government Reporting on Heritage Health

Every five years the Australian Government prepares a State of the Environment (SOE) Report, which covers all aspects of the national environment including natural and cultural heritage.⁹

The heritage component of the 1996–2001 SOE report presents an overview of the current state of Australia's heritage places, objects and Indigenous languages, and identifies the major pressures that are affecting them. It pulls together a range of data from all over Australia, from the government community and NGO sectors. Where changes have occurred since the previous report (1991–1996), these are quantified as far as available information allows, and trends are identified and discussed.

These trends relate to either 'condition' (the actual health) of the heritage described, 'pressures' (generally threats) on heritage significance, or 'responses' (generally actions) by government and the community to the conservation of heritage significance or to addressing perceived or real pressures.

Trends and Examples of Heritage at Risk, 2001

Indigenous heritage

Indigenous heritage issues have been at the forefront of the Aus-

tralian political debate during the reporting period. This has had some favourable results for Indigenous heritage places, but there has also been a strong polarisation of views – especially in regional Australia – with some resentment of perceived favourable treatment for Indigenous Australians.

Continued publicity (often inaccurate) about land rights and Native Title has made many country landowners suspicious of, or even destructive towards, Indigenous sites. These issues have had some negative effect on Indigenous people contributing information about Indigenous heritage places and have proved divisive within communities.

Although much progress has been made in the positive integration of customary and scientific aspects of Indigenous heritage, in some areas there remains a wide perception gap, and some suspicion, even hostility, between Indigenous people and researchers and land managers. In particular, this tension is exacerbated by a lack of understanding of issues pertaining to Aboriginal spiritual connection to land.

Several high-profile controversial disputes concerning the importance of Aboriginal sacred sites and their conservation versus other proposed land use demonstrate that there is still considerable disagreement, both within the Aboriginal community and the wider community about these complex issues and their resolution. A key issue has been the ongoing dispute concerning conservation of the Indigenous values of Kakadu National Park, as noted in the (Australia chapter) *Heritage at Risk 2000* report. Although some progress has been made, the issue is still unresolved.

Legislative regimes are still proving inadequate for the conservation of Indigenous heritage in some jurisdictions, with lack of provision for some level of active involvement in and control of Indigenous heritage by the Indigenous community. The failure to date of the parliament to pass legislation based on the recommendations of the Evatt Report (a government commissioned report which recommended a more effective regime) means that there is still a lack of minimum national standards for Indigenous heritage legislation.

While there is increasing Indigenous involvement in Indigenous heritage management, many of the protocols for consultation, decision-making and involvement instituted by local Indigenous communities are not always recognised or respected. Although there has been marked increase in the number of Indigenous people involved in heritage management, there is still a comparative lack of well-qualified Indigenous heritage managers in senior positions in State and Commonwealth instrumentalities.

Indigenous languages, a critical component in the survival of Indigenous culture, have continued to decline, both in number and the percentage of people speaking them. There are an estimated 55,000 Indigenous language speakers and, of the 250 living languages spoken when white settlement began, only 20 languages are now regarded as 'strong' and 70 are less spoken – 160 being virtually extinguished. Lack of Indigenous language speakers in young age groups is a concern. Indigenous people continue to lose language and access to land in some areas, which significantly affects their ability to care for and teach about Indigenous heritage places and landscapes.

Declining heritage funding

The management of heritage places is increasingly affected by declining public-sector agency budgets for heritage place maintenance and conservation (with some notable exceptions, such as Victoria's Public Heritage Program), by cessation of the National Estates Grants Program, and by the loss of a fledgling tax incentive scheme for private heritage-property owners. A limited grants

programme that targets only places of national significance has replaced them. The trend is to support tourism infrastructure, rather than conservation maintenance per se as exemplified by the range of heritage-trails funding and localised Centenary of Federation grant funding.

There is very little government-funded or sponsored support for community involvement in historic heritage conservation and there is now a marked imbalance between funding for natural and cultural heritage in Australia. The government has instituted the Natural Heritage Trust, which provides very significant amounts of funding for conservation of the Natural heritage at all levels, but there are currently no similar national programs for the conservation of Indigenous or historic heritage places.

Poor condition of the National Estate

A sample survey of 12% of the historic heritage places listed in the Register of the National Estate conducted for the SOE Report 1996–2000 found:

- continuing occurrence of vacant and deteriorating government buildings, demonstrating governments' lack of funding for heritage asset retention or maintenance in the various jurisdictions;
- an increase in deferred maintenance for many churches will pose major conservation funding problems over the next decade;
- a continuing low but steady rate of damage done to significant buildings by inappropriate alterations such as 'modernising' of shop fronts and interiors.

Collections management shortfalls

The National Conservation and Preservation Policy and Strategy, *Australia's Heritage Collections*, released by the Australian Cultural Ministers Council in 1998, was a significant achievement, but insufficient resources have been allocated to implement the strategy. An SOE survey found that environmental conditions for storing objects in the major collecting organisations appear to be reasonable across all sectors. The proportion of collections catalogued across all heritage sectors appears to be improving.

A coherent, agreed, national definition or shared view of what might constitute Australia's cultural heritage collections has yet to be achieved. Most small museums have difficulty in assessing the comparative significance of particular items in their collections. The introduction of Australian Museums on Line (AMOL) to collect this information will assist, but as yet we do not know how many objects by category are held in these 2000 museums. Small and large museums generally have documentation systems that are idiosyncratic and cannot meet current demands of scholarly and public access.

Many collections are not generally perceived as relating to heritage places in which they were originally located. This leads to a loss of some meaning for both the place and the object and reduction of interpretation opportunities for both.

Sale of government-owned land

Government reorganisation in all jurisdictions has resulted in redundant heritage assets. Loss of function has led to changed and lost heritage values for many places. The Commonwealth Government has not yet responded to the findings of the government commissioned Schofield Report on this issue, which demonstrated a very significant failing on the part of the Commonwealth Government to look after its own heritage properties. The report also made a number of recommendations aimed at rectifying this serious situa-

tion. At State level, similar pressures are felt, with the Quarantine Station in Sydney (featured in the Australian Chapter of the 2000 Heritage at Risk report) currently facing major redevelopment.

Gaps in World Heritage Listing

The absence of any World Heritage Site that relates to the European heritage of Australia is a noticeable gap in the representation of Australia's heritage places of outstanding universal significance, despite a number of nomination reports being prepared. Two nominations have not yet been submitted, due to lengthy negotiations over constitutional division of political powers.

Unrecognised mid-Twentieth Century Heritage

Heritage places from the last 50 years need particular research and recognition as they face increasing redevelopment pressure due to their materials conservation problems and lack of accepted heritage status. Several major buildings have been lost, damaged or threatened in the reporting year.

Themes of Risk

Generally, the loss of Australia's heritage places continues due to:

- urban redevelopment – main street redevelopments and loss of functions due to larger shopping-centre constructions;
- urban consolidation impacting on the heritage character of older suburbs;
- increased urbanisation and the spread of suburbia is adversely affecting the settings and curtilages of historic properties;
- public building redundancy due to movement of client populations (especially in rural areas), asset rationalisation and mergers, technological and infrastructure change;
- a sometimes too narrow view of cultural heritage significance – for example, non-recognition of mid-20th century places;
- abandonment of rural structures – due to changing technology and new markets/products, many traditional buildings and cultural landscapes are being irreversibly altered through changing rural use patterns.

Good news

There is some good news for heritage emerging from the 1996–2000 SOE data.

Models for integrated assessment of cultural and natural values

Over the last few years, Australian heritage agencies have been conducting detailed surveys of the natural and cultural heritage values of the country's diminishing Forest Estate, as part of a process aimed at reaching agreement on the future use and conservation of forests. Regional Forest Agreement surveys in most States and some other large-scale regional studies – such as in the Murray Mallee, Paroo, and Cumberland Plain / Outer Sydney regions – have resulted in the further systematic, regional identification of cultural heritage sites, although most have not yet been recorded in heritage registers.

Approximately 3000 cultural heritage sites were identified through the Regional Forest Agreement surveys. These surveys were important as the first large-scale attempts at integrated assessments of both natural and cultural heritage values, which provided valuable lessons and insights – especially into issues of cultural landscapes.

Indigenous heritage management

There appears to be an increasing involvement in, and to a certain extent, control by, Indigenous people of Indigenous heritage issues. This is demonstrated by: established regional and local Indigenous heritage organisations actively being involved in heritage management; the presence of Indigenous site-officers in both government and community employment; and the general strength of concern expressed by Indigenous people for their cultural heritage.

Work on Indigenous land claims and Native Title rights is encouraging detailed research into Indigenous tradition and recent Indigenous history, with an increasing number of sophisticated and integrated studies that present a more holistic view of Indigenous culture. The study and celebration of recent Indigenous history by Indigenous people is demonstrated by the healthy publication rate of memoirs and regional Indigenous histories, and by the nomination to the Register of the National Estate of significant Indigenous historic sites such as Wave Hill (Northern Territory), the Aboriginal Tent Embassy (Australian Capital Territory), and the Cyprus-Helene Club (New South Wales), all sites that commemorate recent Indigenous political struggle for citizenship and land rights.

The active programme through the Natural Heritage Trust to augment the national natural reserve system in Australia means that there is an improvement in the number of Indigenous places protected from development in natural environments. The number of joint management arrangements between Nature Conservation Agencies and Indigenous communities to jointly manage National Parks (using the Uluru and Kakadu model) continued to increase, and twelve Indigenous Protected Areas have been established as part of Australia's National Reserve System since 1998.

The Return of Indigenous Cultural Heritage Program instituted in 1998 is facilitating the return of cultural property from Australian museums and other collecting institutions to Indigenous people. There are increasing efforts for the repatriation of Indigenous materials by Australian museums, especially for human remains and secret, sacred objects. Recently there were 19 negotiations with Australian museums for the repatriation of Indigenous materials, but funding is very low.

Major public events, cultural activities and media coverage have contributed to an increasing public awareness of Indigenous culture and heritage. In particular, the 2000 Sydney Olympics opening ceremony showcased Aboriginal culture, and internationally acclaimed Indigenous artists continue to celebrate and contribute to an understanding of heritage places through their work.

A national association of Indigenous Site Officers has been set up and is operational. A Voluntary Service for Indigenous Communities has been established to connect individuals wishing to offer voluntary support to Indigenous communities – environment and heritage is a nominated area of the programme. A mentoring programme and a business partnership scheme are also in place.¹⁰

Centenary Celebration Funding

The Centenary of Federation Fund, which celebrated the 100-year anniversary of the Federation of Australia as a nation, provided substantial boosts to heritage conservation and to the management of a number of significant places and objects, though this is one-off funding, available only during the reporting year.

Heritage methodology and co-ordination

There have been significant recent advances in conservation



Mt Drysdale, Cobar, NSW: a hearth site in a pastoral property where negotiation between traditional owners and leaseholders has achieved shared access and care of Indigenous heritage sites.



Castlecrag, Sydney: the cottage was designed by Walter Burley Griffin in the 1920s and is endangered today by urban re-development. It was conserved as a temporary house museum, then sold with protective covenants to ensure its maintenance.

methodology and practice. A revised version of the Burra Charter, which addresses intangible aspects such as understanding, meanings and use, together with interpretation and the traditional concern with the conservation of fabric, was launched in 2000; this year Australia ICOMOS has also released a video to support the revised Charter.

An Endangered Houses Fund to save threatened houses using a model of conservation and sale has been established by the Historic Houses Trust of NSW (HHT), following its successful trial on a Walter Burley Griffin house in Sydney. The HHT has also initiated a Mid-Century Modern Strategy to raise public knowledge and appreciation of modernist architecture and places, with a national conference and regular architects lectures, as well as popular public programmes to secure a future constituency of support for the conservation and recording of modernist places.

Australia ICOMOS will hold a major international conference on Twentieth-Century Heritage issues in Adelaide in November 2001.

A very well received guide for looking after local heritage places *Protecting Heritage Places Information and Resources Kit*, has been developed and released by the Australian Heritage Commission, along with a set of best practice guidelines for heritage tourism development, *Successful Tourism at Heritage Places - A guide for tourism operators, heritage managers and communities*.

In addition, a range of programmes at State and national level have aimed at the conservation of Australia's rich and varied migrant heritage, and at increasing the ethnic diversity of Australia's recognised heritage places.

Solutions?

What is needed to address Heritage at Risk issues in Australia?

- The proposed Commonwealth heritage legislation needs to be revisited and improved. This should include criteria for the identification and listing and minimum standards for the conservation of heritage places, separating identification and management.
- A national Indigenous heritage authority, or at least a more co-ordinated and effective action at a national level, aimed at the recognition and conservation of all aspects of the living Indigenous heritage is urgently needed.
- The Commonwealth and State governments need to take responsibility for the conservation, management, and interpretation of their own heritage assets as an essential prerequisite for eliciting community involvement and support.
- A funding programme for cultural heritage, similar to that already instituted for natural heritage under the Natural Heritage Trust, must be established – with the particular goal of increasing awareness and local involvement of our diverse community in heritage conservation.
- Integrated assessment and management of natural and cultural heritage, and a greater recognition and understanding of the

need for the conservation of cultural landscapes is required at all levels of government and the community is needed.

- Practitioners need to develop methods of working more closely with communities and acting as facilitators rather than experts, in assisting the community to identify and conserve its heritage.
- Specific regional and rural programmes are needed to promote the recognition of heritage and to actively assist with its conservation.
- The tourism industry, and heritage tourism promoters in particular, need to give more recognition to the conservation of the cultural values from which they gain their business and to plan for sustainability.
- A concerted 'whole of government' approach to Indigenous cultural conservation at national and State levels is needed.

Report Authorship

The 2001/2002 Heritage at Risk report has been prepared by Sharon Sullivan and Sheridan Burke for the Australia ICOMOS Executive Committee, with input from Elizabeth Close, Bob Vincent, Mandy Jean, Robert Moore and Alan Croker.

Australia ICOMOS used data from the cultural heritage section of the 1996–2000 State of the Environment Report for the preparation of this report. This of course does not represent the views of the Australian Government, or of the Government Committee responsible for the State of the Environment Report, nor is it drawn from the final report. Rather it represents the views of ICOMOS members who have had access to a wide range of significant data and members of the community concerned with cultural heritage conservation.

Australia ICOMOS

- ¹ Australia ICOMOS was established in 1976, and today has approximately 300 active members.
- ² The proposed amendments relate to the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).
- ³ Established in 1940, the Australian National Trust movement is an active lobbying and listing organisation with approximately 80,000 members.
- ⁴ The Australian Council of National Trusts, Endangered Places Report 2000.
- ⁵ Mrs Dianne Weidner, ACNT Chair, 15 August 2001.
- ⁶ The National Trust's Endangered Places report for 2001 can be accessed at: www.nationaltrust.org.au
- ⁷ The ACNT 'Taking Stock' media release, 22 August 2001.
- ⁸ 'Cinderella revisited: impoverishing Australia's heritage', ACNT June 2001.
- ⁹ Refer www.environment.gov.au/heritage/policies/index
- ¹⁰ Refer <http://www.jobsearch.gov.au/indigenous>