

ESSAY: WHO ARE THE PLAYERS IN HERITAGE AND WHAT ROLES DO THEY PLAY?

Don Garden

Associate Professor Dr Don Garden is an environmental historian who holds honorary positions at the University of Melbourne where he taught for many years. Dr Garden works as a consultant historian and is President of the Federation of Australian Historical Societies, a Council Member of the Royal Historical Society of Victoria, a member of the Kew (Victoria) Historical Society and a member of the Professional Historians Association.

Dr Garden has been a chief investigator on two projects relating to Australian climate history for the Australian Research Council. He has also published two monographs and a number of papers on environmental history and the effects of drought and El Nino.

PREAMBLE

The 2006 *Australia, State of the Environment Report* defined Australian heritage as follows:

Australia's heritage—the landscape layered with places and associated objects—tells the story of who we are, our histories and our relationship to the environment. Heritage includes places with natural, Indigenous and historic values. It also includes objects, collections and intangible aspects such as community values, customs, languages, beliefs, traditions and festivals. Heritage forms part of Australia's cultural identity.¹

Anyone thinking or writing about 'heritage' in Australia is immediately confronted by the challenges of what the word means and the equally complex Australian heritage administrative structures. At the Commonwealth level, since the 1975 Australian Heritage Commission Act and perpetuated by the 1999 Environment Protection and Biodiversity Conservation Act and the 2004 Heritage (Further Amendment) Act, Indigenous, natural and historic (essentially buildings and places) heritage, have been brought together legislatively and administratively.

There are some advantages in this holistic approach, such as when dealing with places that include more than one type of heritage. However, in some ways this is a marriage of convenience that makes these (sometimes) ill-suited bedfellows administratively complex, potentially competitive for funding and attention, and yet they are still an incomplete representation of heritage in the community.

The fourth element of heritage, as identified in the *Australia, State of the Environment Report*, is the documents, objects, collections and intangibles (the Distributed National Collection) that comprise cultural heritage. In the Commonwealth, cultural heritage is legislatively and administratively separated off and located with the Arts. Although Arts has at times been co-located within the same Department, this separation has created artificial boundaries that have proved difficult to permeate. This essay will include reference to aspects of cultural heritage as it is integral to a broad discussion of heritage stakeholders in Australia.

The states have their own regimes and as these do not generally reflect the above administrative structures, this adds to the national complexity.

¹ *Australia State of the Environment 2006*, <http://www.environment.gov.au/soe/2006/publications/report/index.html>

The EPBC Act has been reviewed (Hawke Review 2009) but so far the government has not released its response. There remain many in the heritage community who are highly critical of both the EPBC regime and now of the Review for not getting to the nub of the problems.

The overall themes and conclusions of this essay are:

1. Heritage is highly significant for the nation and community because it values and protects the integrity of the natural and cultural spaces within which we live, and promotes social cohesion through of a sense of history, self, place and identity.
2. Heritage contributes significantly to the economy at many levels. For example, a 2008 Commonwealth report on *Economic Activity of Australia's World Heritage Areas* found that the annual contribution of World Heritage to Australian regional economies included: \$7,011.4 million in annual direct and indirect regional output or business turnover; \$3,135.0 million in annual direct and indirect regional value added; \$2,117.3 million in direct and indirect regional household income; and 42,873 direct and indirect regional jobs.²
3. While heritage is widely popular in its various forms in the general Australian community and has a strong caché for some people, there are also many who do not value it or who see it as an irrelevance or an obstruction.
4. A very large and valuable voluntary community effort contribution is given to the various facets of Australian heritage through a diversity of heritage organisations.
5. Heritage professionals also make a considerable contribution both personally and through their professional organisations.
6. It is at the government level that support has not fulfilled community expectations. The Commonwealth has substantially abdicated its former central leadership heritage role and many states and local government jurisdictions have not, for both motivational and resource reasons filled the void or provided satisfactory heritage protection controls or administration.
7. The Commonwealth needs to take up again some of its leadership role, and all government jurisdictions need to do more to reduce duplication and establish uniform and integrated standards of listing and protection, to provide incentives and to encourage public education in and appreciation of heritage.

Recommendations

1. The Commonwealth needs to return to a leadership role in heritage. This can be done in a number of ways including a more consistent pursuit of its EPBC responsibilities, reform of the EPBC Act, better support of the Heritage Branches and the Australian Heritage Council, and through encouraging research, developing expertise and providing benchmark procedures for listing processes and for the protection of its properties.
2. To facilitate the above, the Commonwealth needs to develop a National Heritage Strategy.

² *Economic Activity of Australia's World Heritage Areas*, Final Report, Department of the Environment, Water, Heritage and the Arts, July 2008, <http://www.environment.gov.au/heritage/publications/report/pubs/economic-activity-report.pdf>

3. There needs to be a greater take-up of the heritage roles and responsibilities that were reallocated after the 1997 agreement by the Council of Australian Governments, especially by state and local governments.
4. To do this requires better coordination and greater consistency and less duplication between all levels of government, notably including greater uniformity and integration of state and local government heritage regimes, especially in the areas of efficient listing processes and more consistent defence of heritage places and values.
5. There needs to be either a single coordinated list of Australian heritage places or a better linking and coordination of existing lists.
6. More assistance through incentives is required to enable preservation and to facilitate the appreciation of private ownership of heritage properties.
7. Greater public appreciation of heritage is essential. To achieve this, governments need to recognise and support the work of the voluntary and professional sectors, to promote public activities and public and school education programs, and to provide clearer incentives for owners of private heritage properties.
8. There needs to be greater recognition of the work of non-government sector, especially of volunteers, to ensure that their efforts are recognised and valued. This might be partly through the provision of financial assistance, but is equally through better public recognition and consultation from all levels of government. At all levels, there should be community heritage consultative groups and committees.
9. All government jurisdictions need to contribute more through better funding of methodological projects, historical research and heritage studies and by facilitating and promoting better heritage practice.
10. Local government needs particular assistance from the Commonwealth and states in its heritage roles, in such matters as the provision of expertise, employment of heritage officers and to develop appropriate heritage plans, strategies and processes.

WHO ARE THE PLAYERS IN HERITAGE AND WHAT ROLE DO THEY PLAY?

The 'players in heritage' in Australia can be understood on at least nine levels.

One – Virtually everyone is to some extent a player in heritage. Indeed, the word heritage points to the shared background of culture and history that surrounds us – even those who have migrated recently to Australia are participants in or beneficiaries of Australian heritage by virtue of the fact that we all live within its natural, political, built and cultural environment. In this broad sense, heritage permeates every part of our everyday life.

That said, not everyone values or appreciates heritage. As an essentially new and immigrant country, Australia lacks a long-term non-indigenous culture and Australians tend to have a poorer sense of history and heritage than older countries and cultures. Faced with waves of newcomers, our culture and education system struggle to develop and instil a sense of heritage identity. As well, many people regard heritage, or certain aspects of heritage, as an impediment to 'progress',

‘development’, individual rights and economic expansion. The speed with which Indigenous, natural and historic heritage have been and continue to be destroyed in Australia indicates that many Australians are in some respects poorly educated in the positive aspects of our heritage, do not value it highly and give it insufficient care and protection.

Two – There are those who have an interest in more specific aspects of heritage because it involves them through some part of their life or sense of identity – including people who visit a heritage place, those who purchase Indigenous art, bushwalkers enjoying the natural environment and hobby family historians. The 2006 Deakin University survey showed that most Australians are engaged with heritage on this level:

Australians are deeply interested in heritage issues, but primarily on a personal level. That is, they are highly motivated to engage in heritage issues they find directly relevant to their own specific interests, culture or history. The participants/respondents viewed heritage as a very individual thing, but noted there are also heritage objects of national and global importance. It would appear that interaction with such national icons can spark personal interest and connection – building involvement that way. Over 90% of the respondents had visited a National Heritage Listing (NHL) site, and over 95% had engaged in at least one heritage-related activity in the past year, confirming a high level of interest in heritage.³

Three – The various voluntary community organisations that collectively represent some hundreds of thousands of members and through both paid and voluntary labour do an immense amount to protect, conserve and exhibit Australia’s heritage.

In the natural environment these range from small local Landcare and conservation organisations (such as the Balcombe Estuary Rehabilitation Group and the Darebin Creek Management Committee) to state-based bodies such as the Victorian National Parks Association (about 3,000 members plus supporters), and to large national bodies such as the Australian Conservation Foundation (35,000 members and 60,000 active supporters) and The Wilderness Society (more than 40,000 members).

Historic and cultural heritage organisations range through local historical societies and museums, special interest groups (e.g. family, railway, police, engineering, maritime and military history societies), state bodies (e.g. Royal Western Australian Historical Society with 700 individual members plus 77 affiliated societies and their members; and the Genealogical Society of Victoria, 6,000 members and more than 50 affiliated societies), to the Federation of Australian Historical Societies which directly and indirectly represents approximately 1,000 community history and heritage organisations and their 100,000 members. The National Trust (Australia) focuses essentially on heritage places and buildings, owns many properties and opens many of them to the public. The Trust has about 80,000 members who belong to state branches, and there is an umbrella national body, the Australian Council of National Trusts.

³ *National Survey of Public Attitudes to Australian Heritage*, July 2010 (Final Report), Department of Environment, Water, Heritage & the Arts. Prepared by: Dr. Heath McDonald, Deakin Business School

Four – There are various professional and semi-professional individuals and groups, often partly government-funded, who are involved in aspects of heritage but who, as well as promoting their own professional interests often interact with and assist the work of the voluntary heritage bodies. Among these are Tasmanian Aboriginal Historical Services, Australia ICOMOS, archaeological associations, Museums Australia, the Australian Historical Association, the Australian Society of Archives and Blue Shield Australia.

Five – Property owners. While governments at all three levels own many heritage properties (see discussion below), the vast majority of both natural and historic heritage places in Australia are privately owned by Indigenous communities, individuals, voluntary organisations and businesses.

Private and commercial owners of heritage properties are likely to have a complex and even contradictory relationship with the heritage for which they are responsible. Some individual private owners take pride in possessing and carefully nurturing heritage values, and may even purchase such properties because of a desire to own and protect them, investing considerable resources to do so. Natural environment organisations such as Bush Heritage, The Nature Conservancy Australia, Trust for Nature and Land for Wildlife collect donations to enable them to purchase and protect significant sites of natural heritage, and/or to advise private owners in the protection of properties and the establishment of protective covenants. The National Trust plays similar roles with built heritage places, and National Trust listing is sought by some proud owners of heritage structures.

By contrast, many business and individual owners view heritage properties and values as an expensive liability, an impediment to their freedom to do what they wish with ‘their’ property and wish to avoid its responsibilities. Some pursue legal avenues to gain approval for modifications, but there are myriad stories of natural vegetation being illegally bulldozed and of structures secretly transformed or destroyed.

Six – Developers. Australia has one of the fastest rates of population growth of any country, as a result of which urban growth and increasing industrialisation of urban and rural land are resulting in major impacts upon heritage places. As a group, developers responsible for land clearances and urban spread and regeneration are arguably most opposed to and frustrated by heritage sites. Existing listings, approval processes and the potential for community resistance can slow developments and add to their costs.

While some developers are willing to contribute to conservation objectives, they are frequently frustrated by the delays, inconsistent application of discretionary powers and administrative regulation, particularly by state and local government authorities.

Seven, Eight and Nine – The three levels of government are the principal policy makers and regulating authorities, while at the same time they are among the largest owners of heritage properties and places. Historically there has been some rivalry between jurisdictions, most notably state resentment at what has been seen as Commonwealth interference in state matters (such as the recent issue of cattle grazing in Victoria’s Alpine National Park). The resulting poor coordination and cooperation between jurisdictions has been one of the principal barriers to good heritage protection and practice.

Commonwealth and state governments have various departments that are responsible for heritage

within their jurisdictions, but there is little coordination in the way they are structured and in the regimes they administer. Governments also operate through numerous semi-independent government bodies and authorities which have a specialised interest in aspects of heritage. Environmentally there are various state environment protection authorities and national park authorities, while Heritage Councils and Trusts are responsible primarily for historic heritage, although Indigenous and natural heritage also apply in some jurisdictions. Examples of Indigenous organisations include the Koori Heritage Trust in Victoria and the Queensland Indigenous Arts Marketing and Export Agency.

Most of Australia's land mass is governed by local government authorities and as a result most have heritage sites within their boundaries and responsibilities, yet local governments are the most inconsistent in their identification of heritage, most patchy in their controls and most powerless in their enforcement, largely because of the poor regimes established under state legislation. Places that are considered to be of national or state significance, or are owned by the Commonwealth, are generally not within their full jurisdiction. Some councils employ heritage officials and endeavour to establish and enforce heritage protection regimes, but many do very little. Even when local government plays an active role in heritage, it is often over-ruled by state ministers 'calling in' projects, or state tribunals over-riding them in the interests of developers.

In what might be seen as an unfortunate step in inter-government cooperation in heritage, under the 2011 rearrangement of ministerial committees, the committee for Environment Protection and Heritage and its Standing Committee of Officials were abolished and replaced by the Ministerial Standing Committee on Environment and Water which has only marginal interest in heritage. The absence of any clear machinery for future heritage cooperation at Ministerial level, and even between chairs and officials, is troubling.

(See the final section for a more detailed discussion of government roles.)

WHERE DO THE NON-GOVERNMENT INTEREST GROUPS, PROFESSIONAL ADVISERS AND PROPERTY OWNERS AND DEVELOPERS SIT?

Non-government interest groups

Non-government interest groups and heritage organisations such as those referred to above make an immense contribution to heritage in a diversity of ways – research, general public and school education, conservation and renovation, exhibition, heritage tourism, etc. They are the owners and/or custodians of many natural and historic heritage places and also possess millions of objects, documents, images and other items which form a major part of the 'Distributed National Collection'. Through these places, collections and volunteer labour they make an immense contribution to heritage in a wide range of fields.

Community organisations are made up principally of volunteers and rely heavily upon volunteer labour for their work. Volunteers have a mixture of motivations, including an altruistic interest in the work in which they volunteer (e.g. environmental care or preservation of an aspect of cultural heritage or community building) and personal return (including fellowship and sense of group and community identity).

Volunteerism is recognised for its wider social benefits through its contribution to community strengthening and individual wellbeing. Many community organisations operate in small and rural communities where such values are particularly important. In a 2003 research paper the Productivity Commission noted the value of volunteerism in building 'social capital'. While not specifically addressing voluntary heritage organisations, it discussed the contribution of volunteers in a range of social forms, their contribution to their communities and the need for recognition of the assistance they give to governments. The paper suggested that 'it may be more cost-effective (and, indeed, better for social capital formation) for the government to help support voluntary corps instead of providing the service itself'.⁴ This suggestion does not appear to have been widely recognised.

It is difficult to estimate the financial contribution to the Australian economy that is made by voluntary heritage organisations. However, a basic calculation by FAHS and ACNT in 2010 indicated that the built assets that their societies own and occupy are worth perhaps \$300 million, their movable cultural heritage assets (potentially about 3 million in number) are worth perhaps \$130 million and their volunteer labour contributes an estimated \$36.6 million per annum. The contribution of voluntary organisations to heritage tourism amounts to many millions.⁵

In the natural environment sector, as well as the organisations referred to above, Landcare Australia is a major voluntary organisation with 4,000 community Landcare groups and 2,000 Coastcare groups whose volunteers include many farmers and other primary producers. Since the 1980s its members have made significant contributions through: combating soil salinity and erosion with sound land management practices and sustainable productivity; conserving, rehabilitating and better managing river systems; improving local coastal and marine environments; planting annually many millions of native trees, shrubs and grasses for a range of benefits, including better soils, water and air quality; restoring bush land and conserving sensitive areas in public and on private land; and restoring wildlife habitats and providing protection for thousands of native species, including threatened and endangered flora and fauna.

The National Trust has an outstanding record of saving valuable historic properties and natural features. Many of our treasured places would have disappeared but for the actions of the organisation and its members. Through its classification work, which provides recognition of heritage value, the National Trust identifies and records places of significance. These classified places include buildings, public art, industrial sites, townscapes, cemeteries, landscapes, heritage gardens trees and urban bushlands. It is estimated that National Trust volunteers contribute more than 264,000 hours of work to the National Trust per annum – valued conservatively at \$25 per hour, this gives a total contribution of about \$6.6 million to Australia's cultural heritage.

The Federation of Australian Historical Societies Inc. represents an estimated 100,000 members. The vast majority of historical and heritage societies own or occupy premises, and a high proportion of these are heritage buildings. The vast majority of historical societies also have movable cultural heritage collections (documents, images, artefacts and ephemera), and more than half have exhibitions that are open at times to the public and are frequented by heritage tourists. Assuming that the estimated 100,000 members each contributes (very conservatively) an average of one hour

⁴ *Social Capital: Reviewing the Concept and its Policy Implications*, Productivity Commission, Research Paper, Canberra, 2003, p. 66

⁵ Michele Cegielski, Ben Janeczko, Trevor Mules and Josette Wells, *Economic Value of Tourism to Places of Cultural Heritage Significance: A Case Study of Three Towns with Mining Heritage*, CRC for Sustainable Tourism, University of Canberra, 2005

of their time per month, valued conservatively at \$25 per hour, this gives a total of about \$30 million per annum.

The following are examples of major contributions by voluntary community organisations to Australian heritage.

Conservation Volunteers Australia has teams of volunteers who each year collectively plant more than 1 million trees for habitat and land restoration; collect over 1,000 tons of native seed for revegetation and reforestation projects; build and restore over 300 kilometres of walking tracks and boardwalks; install more than 80 kilometres of conservation fencing to protect vulnerable areas; and complete 500 wildlife surveys to assist with threatened species management.

The Albany Historical Society, WA, opens five sites to visitors in the town and in 2009-10 some 75,000 people passed through their doors. This operation is undertaken almost entirely by volunteer labour, and makes a significant contribution to heritage tourism and to the economy of the town.

The Kew Historical Society, Victoria, coordinated a campaign that raised \$500,000 towards saving and preserving the local courthouse and police station when it was vacated by the government. The complex has now reopened as a community arts and heritage centre.

The Nepean Historical Society, Victoria, has skilled members who run a committee that scrutinises development applications that go before the local Council. The committee has had some significant influence in curbing inappropriate development on the Mornington Peninsula.

Community heritage societies and museums make a significant contribution to education in general and will be further called upon to facilitate the principles in the new National Curriculum.

Most of this voluntary heritage work is undertaken with minimal external support. While conservation groups attract a wide range of ages, a significant proportion of historical and cultural heritage volunteers are aged over 50, many of whom are retirees or pensioners with limited incomes. While the voluntary heritage sector is dollar poor, it is rich in voluntary labour and historical expertise. Members contribute hundreds of thousands of hours to the research, preservation and communication of local, state and national history. Many of these people take advantage of the few relevant training programs provided through state government agencies/universities but there is a very large need for training and skill development.

Without volunteerism, national heritage in Australia would be very much poorer. Governments need to do more to recognise and encourage this work and to assist with training.

I note that the report commissioned by the Heritage Chairs and Officials in 2005, *Valuing the Priceless: the value of historic heritage in Australia*, ignored the contribution of volunteers.⁶

Professional Advisers

A substantial range of professional advisers are associated with the identification, listing, conservation and presentation/exhibition of heritage, including horticulturalists, biologists, engineers, ecologists, archaeologists, anthropologists, botanists, zoologists, architects, landscape

⁶ *Valuing the Priceless: The Value of Historic Heritage in Australia*, Research Report 2, November 2005. Prepared for the Heritage Chairs and Officials of Australia and New Zealand

architects, historians and museum curators. They play critical roles both as private consultants and through their professional organisations in the preparation of assessment reports and in advising government, industry and managers of heritage sites and collections. They also appear as experts before various administrative tribunals. Australia ICOMOS is a particularly important organization with over 500 members including a wide range of professionals such as planners, historians, educators, curators, anthropologists, archaeologists, architects, interpretation specialists, conservators and engineers.

While some consultants are available as 'guns for hire' rather than independent assessors, as a group these professional advisers tend to have more direct personal and financial links with and dependence upon government heritage regulatory regimes.

Property Owners

Heritage property owners are perhaps the section of the community whose situation is most complex and among whom there is a great diversity of attitudes. They range from those who love and preserve their heritage properties to those who see such property as a liability which they would like to use a bulldozer to be rid of.

As a group they have a clear and significant interest that needs greater consideration. It is one of the challenges for the three levels of government to cater for and educate private owners through encouraging wider community appreciation of heritage and a sense of enhanced community value in possession of heritage. That would give owners a greater sense of pride and interest in preservation.

There has been much debate as to whether it would be better to offer incentives or direct financial assistance to property owners. Many schemes have been suggested and the 2006 Productivity Commission report on Heritage canvassed the options, including direct financial assistance and/or taxation deductibility to provide the incentive and capacity for private owners to protect and preserve heritage properties. Such schemes can be difficult and expensive to administer, and historically questions have been raised about social equity in the distribution of assistance (e.g. assisting wealthy property owners to renovate their large homes).

Despite these challenges, governments have a responsibility to develop schemes of assistance and incentives for private property owners.

Developers

The needs of developers are equally complex and difficult to deal with. As described above, as a group they are often frustrated by heritage controls and community resistance that slow developments and add to their costs. That is because in most cases they are primarily concerned with fast and financially successful developments, and heritage values often act as a delay and impediment. Heritage is not generally seen to add value. However, in a minority of cases an overt heritage appeal might enhance a site or can be exploited, and heritage values are used to enhance attractiveness and are incorporated or even accentuated in the development.

In the interests of both the wider community and developers, the situation can be improved by a clearer sense (and education to achieve this reality) that the community values and wishes to conserve heritage sites. For developers there needs to be clearer development processes with

tighter timeframes for approvals, but structured within greater certainty and clearer guidelines about the conservation, protection and positive returns from heritage values.

WHAT ARE THE APPROPRIATE ROLES FOR THESE GROUPS?

In essence each of these groups is already playing its own appropriate role, and expressing its own interests and self-interest. They could each do with greater assistance, encouragement and clarity from government, and would benefit from a stronger sense of heritage appreciation in the community.

The non-government heritage community is doing nearly as much as can be expected of it within its human and financial resources, while it is governments that are not shouldering their share. It is not being suggested that governments should be expected to do everything for heritage. Indeed, as outlined above, there is a large and valuable contribution being made by a diversity of individuals and organisations within the community. Such community involvement should be further encouraged and recognised as a way of reducing reliance on government.

Voluntary groups essentially need resourcing and training to build expertise and to undertake necessary advocacy and other work – and to be given a sense that their work is recognised and valued.

WHAT IS AN APPROPRIATE ROLE FOR GOVERNMENTS (COMMONWEALTH, STATE AND LOCAL)?

All three tiers of government have responsibilities as heritage and development legislators and regulators, listing authorities, major property owners, education authorities and resource and service providers.

The Commonwealth

The responsible department for Indigenous, natural and historic heritage is currently known as the Department of Sustainability, Environment, Water, Population and Communities – it is notable and disappointing that, unlike its predecessors' names, 'heritage' does not appear in the title. DSEWPAC undertakes a wide range of assessment, listing and protection programs relating to the three forms of heritage at the international and national level. Through the Grants for Voluntary Environment and Heritage Organisations and other programs, it has also supported community and professional organisations and other heritage activity across the community.

The Commonwealth's role has undertaken a major transformation in the last fourteen years as it has essentially stepped back from or abdicated the key role it played after the Whitlam government established the Commonwealth regime in 1975, which was built substantially around the Australian Heritage Commission and the Register of the National Estate.

While it had its limitations, the Commission was a relatively well-staffed body that built expertise and was able to provide a sense of strategy and leadership in the development of heritage consciousness, education and practice. The Register of the National Estate was highly significant as it promoted public knowledge and appreciation of heritage (listing carried status) and it set a listing benchmark against which state regimes could be tested. The Commission also represented Australia in world forums and played a major role in achieving World Heritage status for a number of sites.

It was agreed in 1997 by the Council of Australian Governments that the three levels of government should each take responsibility for their own level of heritage. For the Commonwealth this was enacted in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and 2003 legislation that replaced the Australian Heritage Commission with the Australian Heritage Council. The Commonwealth's role was redefined to concentrate on the listing and protection of places of world and national heritage significance, and Commonwealth-owned properties, leaving the states and territories responsible for places of state significance. Thus the Commonwealth became a more minor player in the heritage hierarchy, but with what has proved to be a much more complex, slow and cumbersome listing process. The new arrangement placed greater emphasis on the potentially vexed question of differentiating and defining what is recognized as having national, state and local significance.⁷

The Australian Heritage Council is a less significant body than its predecessor. Its enacting legislation provides some potential for the Council to be proactive and a major presence in heritage matters, but it has not exercised its full potential. This has partly been because the Council is no longer independent from either its Minister or the Department; it has not been separately or well funded and has had little dedicated staff assistance. Its principal activity has been in selecting and recommending the listing of national heritage places for the National Heritage List, using a narrow definition of sites of 'national significance'.

The Register of the National Estate (RNE) was wound down after 2003 and frozen on 19 February 2007 so that no new places could be added, or removed, and from 2012 it is due to become an inert archive. It was intended that State and Territory regimes and local governments would incorporate the RNE listings into their own lists, but this has still not happened in many cases and there are properties in the RNE that do not appear on any of the national, State/Territory or local government lists. There is a multiplicity of uncoordinated lists that do not provide a coherent manifest of Australian heritage places.

Besides World Heritage places, the Commonwealth now has responsibility for two ongoing heritage lists, the Commonwealth List of heritage properties owned or controlled by the Commonwealth Government; and the National List of nationally-significant places (which has now reached nearly 100 but it is not clear that it has been successful in capturing the public's imagination). Protection and conservation of properties on the Commonwealth List has been unsatisfactory. Even though the 1996 Schofield Report and the 2006 Productivity Commission report on historic heritage made significant recommendations on the protection of heritage properties both owned by the Commonwealth and after they are sold, Commonwealth agencies are widely felt not to have fulfilled expectations and the Commonwealth has not lived up to its responsibilities. In the ACT in recent years, as an example, there has been controversy over: proposed new war memorials intruding on the Parliament House Vista; development adjacent to Old Canberra House at the Australian National University; a threat to the Belconnen Naval Transmission Station; and a recent proposal to demolish two historic structures/insectaries at CSIRO Black Mountain. Across Australia a number of former post offices have been sold off and subsequently demolished or modified without appropriate heritage evaluation.

⁷ See *A Guide to Heritage listing in Australia: thresholds for different levels of heritage listing*, <http://www.environment.gov.au/heritage/publications/pubs/heritage-listing-guide.pdf>

A 2011 lapse of funding for several programs has further impacted on DSEWPAC; particularly the Heritage Branches which have lost about 30% of staff and programs have had to be curtailed.

As the former National Cultural Heritage Forum and its successor Heritage Minister's Working Group have been discontinued, there is currently no Ministerial consultative committee with community and professional groups.

It should also be noted that in the cultural heritage sphere the last two years have seen the demise of the Collections Council of Australia and the Collections Australia Network, further signs of the Commonwealth's abdication of cultural heritage responsibilities.

Overall, these changes in recent years can be seen as indicating a decline in the Commonwealth's commitment to effective intellectual and pragmatic leadership, protection, expertise, research and engagement of the wider community in heritage.

On the positive side, the 2009 \$60 million Jobs Fund injection into heritage was invaluable, even though it underscored how much more is required. A new initiative in Commonwealth leadership was the introduction in 2010 of a National Heritage Week – it has potential to become a major participant event and to stimulate wider community interest in and knowledge of heritage. The 2011 budget announced \$4 million per annum for two years in Community Heritage Grants.

It is recommended that the Commonwealth return to proactive leadership in Australian heritage. While it appears unlikely that the Commonwealth or states will agree to 'turn the clock back' to the pre-1997 arrangements, a great deal would be done by the Commonwealth if it appropriately resourced DSEWPAC and the Australian Heritage Council. That is necessary not only to rebuild expertise and to establish benchmark practices, but also to provide education and incentives to enhance nation-wide appreciation and understanding of heritage, to provide opportunities and to encourage and enable better practices.

It has been suggested by the Australian Heritage Council that one avenue to achieve this is through inter-sector partnerships providing matching funding for a range of new agreements and programs, including:

- First, agreements and programs should provide for capacity building and infrastructure development on the ground. Needed capacities relate especially to significance assessment procedures so that transparent, objective and coordinated procedures can gradually be standardised across jurisdictions.
- Second, funding programs need particularly to address the issue of providing adequate resources to deal with the just compensation problem whenever it comes finally to an agreed resolution in particular cases.
- Third, programs should be developed aimed at improving public awareness and appreciation of the built heritage. Information, education, training and skills development programs can be expected to enhance appreciation of heritage values and strengthen social capital. In due course these benefits are likely to be realised in the market place, since demand for heritage properties and owners' capacities to care for them could be expected to grow with improved community understanding of heritage values.

- Finally, the Commonwealth can exercise an important leadership role through exemplary management of its own built heritage assets. Federal Government departments and instrumentalities are custodians of some of the nation's most significant heritage buildings, and the Australian Government can lead by example in adopting best-practice methods in the conservation of these buildings and in their presentation and interpretation to the public. In this respect, the demonstration effect to other tiers of government is likely to be particularly effective.⁸

The RNE should be resuscitated, at least to become a consolidated database of all properties that appear on any Commonwealth, State/Territory or local government list.

Appropriate resourcing will be required for the Commonwealth to take on these responsibilities.

State Regimes

There is great diversity in the strength and purpose of state and territory environmental and historic heritage protection legislation, and in the degree of enthusiasm with which states pursue heritage protection. State Heritage Acts and environmental protection legislation are diverse and not universal in their protection extent or mechanisms, and vary greatly in their range and effectiveness. The rearrangement of responsibilities and the EPBC Act have not produced a higher and uniform standard of state-based protection but a watering down of protection, an undermining of the intent of the 1997 agreement and a greater diversity of uncoordinated regimes. There has not been an equivalent take-up of responsibilities by all of the states in terms of protective legislation, improved listing procedures and transfer of properties from the RNE. Across the nation, the number of heritage sites that has been lost or compromised in the last decade is clear evidence that the states as a group are **not** doing a good job.

There is also evidence in some states that governments frequently undermine or sabotage the efforts of local government to protect heritage. Ministers who 'call in' and/or override local government planning decisions, state tribunals that appear to favour developers in planning disputes, and inadequate funding and other support for heritage within their jurisdictions all indicate an irregular and unsatisfactory heritage culture at the state level.

In terms of cultural heritage the states do not always fulfil their responsibilities, either. For example, while each state jurisdiction has an archives authority responsible for state and local government records, there is widespread anecdotal evidence that the authorities are inadequately funded and frequently fail (not necessarily because of any fault of their own) to collect and preserve the records of state agencies, privatised state agencies and local government authorities. This involves a serious loss of cultural heritage.

State and territory regimes need strengthening by:

- A more uniform and coordinated nation-wide listing process across state constituencies.
- Clear and more uniform nation-wide legislative protection

⁸ Report to the Minister for Environment and Heritage on the Productivity Commission Inquiry into Conservation of Australia's Historic Heritage Places, Productivity Commission Inquiry Report No. 37, 6 April 2006

- The promotion of heritage education and awareness in both the wider community and school curricula
- A higher level of consultation with and encouragement of community heritage groups, including Ministerial consultative committees.
- The provision of clear and more uniform legislative guidelines, policy support, provision of expertise and assistance to local governments, so that they can better undertake heritage responsibilities within their regions.

Local Government

There is great diversity across the nation in the extent to which local governments apparently value and seek to preserve and protect heritage within their jurisdiction. In 2006 the Productivity Commission report on *Conservation of Australia's Historic Heritage Places* noted that a survey of local councils in 2005 found that their statutory lists collectively cover more than 76,000 individual historic places and 1,770 historic heritage areas. However, not all local councils had a statutory list of historic heritage places, and while more than 90 per cent of responding councils in New South Wales and Victoria had a statutory heritage list, in Queensland fewer than half of the responding councils had such a list.⁹

It is arguable that because local government and its councillors are closer to their communities and electors, they are more likely to reflect community interest and involvement in heritage. Where there is an active Landcare group or historical society, an inner urban population occupying heritage building or a local economy that is built partly upon heritage tourism, the Council is more likely to be heritage-conscious and protective.

While all councils employ planners, many do not employ heritage officers or employ them only for a couple of days per week. Most councils have some form of heritage studies, plans and overlays, but they vary considerably in their thoroughness and in the extent to which they are enforced. Not all councils have professional archivists and record managers. Councils also have a reputation for their close network connections with builders and developers and a tendency to favour development. The media frequently reports cases in which the recommendations of heritage studies are overturned or ignored.

It is recommended that in order to enhance heritage awareness and regimes, all councils should employ professional, full-time heritage officers, and develop and enforce comprehensive heritage plans and overlays. To do this they will need leadership and assistance from Commonwealth and state governments. The Commonwealth and states should also be proactive in developing uniform and integrated nation-wide heritage criteria, practices and guidelines to facilitate the work of local governments.

It is also recommended local governments form clearer consultative relationships with community heritage organisations in their area. As an example, the historical and heritage societies within the Macedon Ranges Shire, Victoria, have formed the Macedon Ranges Heritage Council which meets regularly with representatives of the Shire.

⁹ Productivity Commission, *Conservation of Australia's Historic Heritage Places*, Inquiry report, no 37, 2006.
http://www.pc.gov.au/__data/assets/pdf_file/0011/92369/heritage.pdf

CONCLUSION AND RECOMMENDATIONS

Over the last two decades there has been a plethora of reports, papers and recommendations regarding heritage, most of which have sunk with little or no trace. There is a wealth of heritage discussion and recommendations in such documents as the Productivity Commission inquiry report *Conservation of Australia's Historic Heritage Places*, in the *Australian State of the Environment* reports and in the periodic heritage and environment reports from state authorities. These have undertaken very significant groundwork and provide information on heritage and on what needs doing, and could be incorporated into an Australian Heritage Strategy. One state paper worth noting is Heritage Victoria's *Victorian Heritage Strategy 2005-2010*.¹⁰ The *Key Outcomes of the National Heritage Convention* organised by the Australian Heritage Commission in 1998 recommended in part:

10 Community involvement and education

A well-informed community that supports and is actively involved in all aspects of the conservation of Australia's heritage.

Heritage conservation policy, planning and practice will:

- 10.1 Identify strategies for making the significance and meaning of the place understood by the community.
- 10.2 Include effective strategies and adequate resources for increasing community awareness, involvement and support.
- 10.3 Recognise community skills and knowledge by involving individuals, community organisations and local government in all phases of heritage identification, management and communication.
- 10.4 Provide education programs as an integral component of heritage practices and policies.
- 10.5 Support the incorporation of Australian heritage as a core component of the national curriculum at all levels.
- 10.6 Promote the economic and social value that heritage education brings to the wider community (through tourism and other means).
- 10.7 Be responsive to evolving community needs.
- 10.8 Support the development of best practice in heritage presentation and interpretation.¹¹

I strongly endorse this statement and refer to my Recommendations in the Preamble above.

¹⁰ *Victorian Heritage Strategy 2005-2010*, http://www.dpcd.vic.gov.au/__data/assets/pdf_file/0018/37035/annual_report_04_part4.pdf

¹¹ National Heritage Convention, Key Outcomes, 6-7 August, 1998, Australian Heritage Commission, 1998.