



Australian Heritage Strategy Public Consultation Paper

Summary of Public Submissions

1. Introduction

On 19 April 2012 the Department of Sustainability, Environment, Water, Population and Communities released a Public Consultation Paper on the proposed Australian Heritage Strategy. Community organisations, individuals and governments at all levels were invited to make submissions on heritage in Australia; and to respond to 'discussion starter' questions on heritage issues including understanding and appreciation, leadership, community participation, networks and partnerships, and protection and management. The Public Consultation paper is supported by ten commissioned essays about contemporary issues and ideas in Australian heritage management.

Ninety-seven submissions were received by the close of public comment on 15 June 2012. All have been read and analysed by the Department. The submissions vary in theme and style, reflecting the diverse range of organisations and individuals involved in and passionate about heritage. Some submissions specifically addressed the Public Consultation Paper's discussion questions, while others provided detailed analysis on specific themes.

This short report aims to identify and summarise the key issues detailed in the ninety-seven submissions, and provide a flavour of the ideas discussed. Unless otherwise requested by the authors, all public submissions are available on the Department's website, as are the Public Consultation Paper and commissioned essays (<http://www.environment.gov.au/heritage/strategy/index.html>). Numbers identifying submissions are used through the report to enable readers pursue further context and information on points of interest.

2. Overview

Most submissions expressed support for the idea of an Australian Heritage Strategy and appreciated the opportunity to contribute to its direction and content, although the challenge of developing a unified strategy, given the diversity of existing heritage legislation and policies across Australia, was also recognised (subs 11, 12, 84). The essays, commissioned by the Department, were considered very useful, with frequent reference made to those by Kate Clark (*Only Connect*) and Professor Don Garden (*Who Are the Players in Heritage and What Roles do they Play?*). With the exception of the Northern Territory, submissions were received from across the country. Tables 1 and 2, below, provide a geographic and organisational breakdown of the submissions.

Recurrent themes in the submissions included cultural heritage management (including Indigenous heritage, cultural institutions, movable objects and national collections); funding sources (including financial incentives for heritage owners and managers); green building ratings schemes; cooperation across state and territory boundaries; and the role of the Australian Government in heritage management. There was significant support for increased community awareness, more legislative recognition and listing, as well as improved funding and management for specific types of heritage.

- Notably, only six submissions were focused on natural heritage. Two of these considered management and policy issues World Heritage (subs 65, 46), and four (subs 47, 69, 76, 77) sought increased support for geoheritage – the diversity of geology and landforms that are culturally significant, or offer insights into the formation of the earth. In May 2012 the Department commissioned an essay on geoheritage by Dr Graeme Worboys. The essay was added to the Australian Heritage Strategy website (www.environment.gov.au/heritage) shortly afterwards.
- Four submissions (subs 05, 16, 54, 60), highlighted the importance of rock art in Australia, calling for increased funding, stronger Federal government protections, and the need to develop stronger community appreciation of the estimated 100,000 rock art sites across Australia.
- Technical heritage was also discussed, including computers (subs 33, 40), engineering (subs 30, 72), and aviation (subs 74, 92) as was the ongoing need to look after our cemeteries and graves (subs 02, 37, 44), garden heritage (sub 24) and maritime heritage (subs 15, 62).

A debated and contentious topic of the submissions was the definition of heritage and the scope of the proposed Strategy. While the Public Consultation Paper recognised that heritage is both natural and cultural, with both tangible and intangible elements, the proposed focus of the Australian Heritage Strategy is limited to place-based natural, Indigenous and historic heritage as managed federally under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and covered by the *World Heritage Convention*. Nonetheless, many submissions argued strongly for a more holistic definition of heritage (e.g. subs 55, 87), giving increased focus and attention to cultural heritage, as '*understanding our past is more than visiting sites: it is about reading books and journals, watching documentaries and historic drama, or hearing stories from our family and friends. It can be family history and geneology, a passion for house renovations or the collection of vintage cars and antique furniture*' (sub 81). Submissions also called for stronger government links between culture and heritage spheres (subs 43, 86) and incorporation of collections and cultural institutions within the Australian Heritage Strategy, as museums care for heritage places, conserve collections, provide access to heritage and heritage expertise, deliver heritage education and engage the community (sub 93). Multiple submissions stated that cultural heritage lacks a national, strategic focus, and that support and funding available for Indigenous cultural heritage, movable heritage collections, libraries, museums and archives should be increased, given its value and importance to Australian identity and cultural life.

Table 1: submissions received by location

Jurisdiction	Number of submissions
ACT	16
NSW	30
NT	0
Queensland	14
SA	1
TAS	4
Victoria	21
WA	10
International	1
TOTAL	97

Table 2: submissions received by author

Organisation/individual	Number of submissions
Private submission	18
Historical or heritage society	21
Professional body or organisation	17
Local government	7
Indigenous organisation	2
Professional (e.g. business, academia)	15
Industry group	5
State or Federal Government agency or organisation	8
State or Federal cultural institution/collecting body	4
TOTAL	97

3. Understanding and appreciation

Submissions expressed support for programs and initiatives that promote the community's understanding and appreciation of heritage. The important role of heritage education in schools (including local and regional history, local environment, culture and arts) and its increasing relevance as Australian history becomes part of the new national curriculum was discussed by many (e.g. subs 61, 81, 87), as were opportunities for museums and heritage sites to become important sources of-out-of-classroom learning (sub 51). Recent Heritage Week events and commemorative activities provide an effective model to highlight Australia's heritage and engage more people in heritage activities (sub 65).

Submission 79 stated that heritage has become too concerned with regulatory frameworks, rather than sustaining places and passions engendered for them. Taking a broad view of heritage, submission 30 pointed out that the community is already extensively involved in cultural heritage management, with over 20,000 volunteers in museums and historical societies in Queensland alone. Community involvement was also identified as a form of protection and management of existing heritage sites (sub 67).

Community and heritage are intertwined, and the heritage places most valued by communities contribute to sense of place, neighbourhood identity and provide tangible links to Australia's past and culture (sub 45). Links between community and heritage were further explored in submission 42, which outlined how discussions of community in the heritage context could benefit from recognition of more significant cultural diversity, especially including migrant communities. For heritage to be an effective agent of social cohesion it should better reflect the country's social and cultural diversity, and meaningful community consultation should actively involve those not typically part of the heritage sector. In this regard, resourcing should be provided to support groups and individuals disadvantaged for geographical and economic factors (sub 81). A national framework which both empowers Indigenous stakeholders to decide what constitutes their own culture and heritage and control heritage outcomes is emphasised in many submissions (e.g. subs 56, 87 and 75).

Local government submissions identified that they are frequently the first stop for the community when dealing with any heritage issue, and as such are best placed to work with

communities in managing heritage and providing technical support and encouragement. In contrast, submission 45 lobbied for recognition and funding for a network of community organisations that would work towards the goals of the Australian Heritage Strategy. The submission suggested that, with the ageing population, there will be a growth in available skilled voluntary labour which in future years could be employed to support heritage projects.

WilderQuest, developed by the NSW Government, was identified as an excellent example for engagement of young children in natural heritage. The software program engages children online which leads into their engagement in the NSW NPWS Discovery program and further activities (sub 65).

Digitisation of collections, as a way of preserving heritage while also enabling linkages between heritage places with movable cultural heritage was a theme of a number of submissions (e.g. subs 75, 87). Many submissions promoted the use of new media as one way to engage the community with heritage ideas and stories, including Glebe Walks (sub 45) the Vic Heritage iPhone app (sub 12), and Historypin, through which people represent their photographic history in relation to landmarks (sub 30). An integrated national database of Australia's heritage places was also seen by some as a beneficial tool to encourage community engagement, and assist research (e.g. subs 79, 86).

4. Financial support

The decline in funding for heritage management in Australia was a major theme of public submissions, with many explaining how small increases in funding would enable organisations and individuals to realise some of the more obvious economic and social benefits of heritage. For example, submission 95 said funding could support regional heritage advisory services and other technical and community involvement activities that would improve regional tourism. Cultural institutions (e.g. subs 75, 87), would like increased budgets and greater funding certainty to support ongoing research, documentation and protection of cultural resources. Individuals managing heritage places on private property would like financial support for repair and maintenance of heritage buildings.

Some claimed that one of the major unresolved issues in Australian heritage conservation is the nature and level of support provided by governments for the conservation of heritage places, especially those in private ownership (sub 08). Fourteen submissions called for financial incentives, particularly tax incentives, as one way of providing financial support for heritage conservation. Identifying what these financial instruments might be (e.g. loans, tax rebates or grants), where they might be appropriate, and how safeguards could guard against abuse (sub 60) would be a longer-term project, and one which several felt could be an element of the national research program (sub 80) investigating heritage issues faced by more than one jurisdiction.

Submissions pointed out that Australia lags behind the rest of the developed world in establishing workable, recurrent funding mechanisms for heritage (e.g. subs 01, 84). A number of submissions identified the potential of a national lottery, similar to the UK Heritage Lottery Fund, which delivers funding to museums, archives, libraries, historic buildings, biodiversity, public parks and industrial heritage (subs 12, 93). Others discussed the possibility of promoting heritage philanthropy, or developing partnerships with the tourism industry (sub 64).

5. Protection and management, Sustainability

The multi-layered legislative system, which relies on multiple heritage lists was discussed by many submissions. Submission 70 identified problems with this system as including uncoordinated lists which do not fully represent Australia's heritage places, backlog of places awaiting assessment for heritage listing (an issue of insufficient resourcing), and disparate measures of value and or assessment on the nation's registers.

Submission 46 argues that Australian World Heritage policy coordination no longer has the support it merits, and that the Australian government should take a more prominent role World Heritage management and oversight. The submission states that despite the recent World Heritage Intergovernmental Agreement (2009) between the Australian government and states and territories, recent years have seen the abolition of relevant policy bodies, including property-specific Ministerial councils and the Environment Protection and Heritage Council, as well as a significant decline in support for the Australian World Heritage Advisory Committee. Limited resources at all levels mean that some aspects of Australia's obligations under the World Heritage Convention are falling through the cracks: conservation outcomes are poorer, and World Heritage places are not given a function in the life of the community. Celebration of the heritage status of places was argued as being vital lest heritage be seen only as a problem or regulatory impediment.

The apparent failure of green star building programs to adequately integrate heritage values is an issue that was outlined in the Australia State of the Environment 2011 Report and repeated in six submissions (subs 14, 21, 34, 36, 70, 86). There was a strong call for the integration of heritage concerns into the green buildings schemes to promote adaptive re-use and ensure heritage buildings are not penalised.

6. Cultural Heritage

At least sixteen of the public submissions discussed cultural heritage policy, with many highlighting what is perceived to be a lack of coherent cultural heritage policy in Australia. Funding levels were also criticised, (particularly when compared to natural heritage). Don Garden's view that the administrative boundaries between arts, culture and heritage in the Australian Government create artificial boundaries that are difficult to permeate was supported by many, as was the idea that cultural heritage falls between the gaps of federal, state and local government portfolios.

Many submissions emphasized the benefits of linking place-based heritage sites with intangible heritage and movable objects (e.g. sub 93). 'Cultural landscape' is a term that has organising potential in this regard; comprising place-based, movable, and intangible elements (sub 17).

In a practical sense, however, the range of values within any 'cultural landscape' in Australia would be subject to complex and competing management regimes dealing with natural and cultural values in isolation. Submission 67 explored this issue further, pointing out that although the current Australian heritage system seems to be reductionist in approach, the current national and state and territory legislative and policy regimes have been developed over many decades, and have succeeded in preserving much of Australia's valuable heritage. While the Australian Heritage Strategy provides a opportunity to promote a more integrated and consistent approach to managing heritage values – the breaking of these

traditional 'silos' of heritage protection while not losing the achievements and learning of the past is perhaps its biggest challenge (sub 67).

7. Indigenous heritage

Concern for Indigenous heritage is a strong theme throughout the submissions, echoing the view of the authors of the heritage section of the Australia State of Environment Report 2011 that individual assessment and development applications are causing incremental destruction of irreplaceable Indigenous cultural resources. Submissions urge the Australian Government to strengthen protective mechanisms around Indigenous culture and heritage (e.g. sub 56), as present systems for surveying, assessing and listing Indigenous heritage places are inconsistent and can be ineffective. Submission 91 provided specific suggestions to improve Indigenous heritage laws, including maintaining best practice consultation mechanisms, removing management and decision making from government departments and providing power and responsibilities to Aboriginal controlled organisations, as well as financial support, training and capacity building, and recognising the need for Aboriginal heritage protections to be effectively integrated in planning and development approval processes. The Australian Government, as well as the state governments of NSW, WA and SA are currently refining policy and implementing programs of Indigenous Heritage Law Reform.

One reason Indigenous heritage is perceived to be disadvantaged in the heritage system is because it does not easily meld to current legislation. For example, the hierarchical significance threshold which identifies local, state and national heritage is not always relevant as Indigenous heritage is determined by the traditional owner group (sub 12). Also, Indigenous communities do not generally make the distinction between natural and cultural values, and see protection and management of Country as embodying both natural and cultural values (sub 60). Submission 50 notes that although the more holistic approach of the *EPBC Act* provides protection for both cultural and natural heritage values, state legislation treats these values independently and commonly through different government agencies.

Many submissions argued that it is not just place-based Indigenous heritage that is at risk: Indigenous collections critical for the research and documentation of Indigenous heritage (including, for example, salvaged archaeological collections, as well as traditional music, stories and knowledge) are at risk of permanent loss in the next 10-20 years (sub 75). Neither state-based nor national institutions are, some submissions noted, funded to appropriately care for or prioritise large Indigenous collections, and capacity building, infrastructure, and operational funding are required before Indigenous communities are able to care for their own collections.

8. Leadership

Many submissions stated that Australia is seen as a world leader in cultural and natural heritage management: we have a reputation for providing high quality advice and capacity building in the Asia-Pacific region (e.g. subs 68, 88, 89), and have advanced systems and processes for managing our World Heritage properties. The Burra Charter is a well-regarded standard for heritage conservation that has been highly influential overseas.

It is suggested, however, (e.g. subs 46, 50) that this leadership has been eroded in recent years. Internationally, our national interests could be much better supported by more effective heritage conservation and capacity building programs. Good examples, such as our current projects at Angkor, Cambodia and the Kokoda Track, Papua New Guinea, lack a coherent base, and there is significant potential to expand overseas heritage programs and create stronger ties with the Government's trade, aid and diplomacy priorities (sub 89).

Stronger Australian Government leadership was called for in many submissions. For issues of urgency – such as those identified in the Australia State of the Environment 2011 Report – national leadership is seen as crucial. For example, submission 17 said that a return to Commonwealth leadership is required for us to meet the challenges of climate change, development and population pressures, and submission 86 said that the Commonwealth should take a leading role to coordinate all of the listing and regulatory agencies dealing with Indigenous heritage (similar to the current Heritage Chairs and Officials forum). This would it claimed enable government to respond to Indigenous heritage to issues identified in the State of the Environment 2011 Report.

A collaborative leadership was preferred, with the Australian Government working with the states and territories, local government, professional organisations and community stakeholder groups (e.g. sub 70). Improving leadership could also entail more sophisticated and strategic links with the private sector (sub 89). Development of a national database to record heritage data and sites in a uniform way, enabling comparative analysis and effective national monitoring and reporting of heritage outcomes could also be a leadership role for the Australian Government (sub 79). Other key leadership tasks are government coordination and cooperation, and uniform policies and processes, including training and development.

Coordination and cooperation

Submissions noted that regulatory regimes vary across the country. While some suggested the systematic review of heritage legislation, and the possible creation of uniform regulatory schemes (e.g. sub 88), others proposed improvements through better coordination, cooperation and understanding of existing mechanisms (sub 26). Submission 67 said that a national heritage strategy could provide a framework for dealing with a range of cross border issues including significant natural features such as the Murray River. There would also be benefits in coordinating a national framework for heritage trades and training (sub 86).

Uniform policies and processes

The benefits of uniform heritage policies and standards were explored by many submissions. For example, submission 70 called on the Commonwealth government to take leadership in promoting equivalence in heritage criteria and assessment methodology across the states and territories. This would assist industries who are proposing the removal of heritage places, as well as those who are trying to preserve them. Agreed standards for listing and assessment, legislation and administration were also sought. Harmonisation of government and best-practice performance standards could reduce the compliance burden and increase certainty for stakeholders with interests in different jurisdictions (subs 79, 86).

9. Next steps

This public consultation process has provided the community and stakeholders with an opportunity to put forward suggestions for the proposed Australian Heritage Strategy. The ninety-seven public submissions received provide a wide range of ideas to improve our understanding and experience of Australian heritage. Some submissions supported regulatory change, others proposed an increase in community access and funding, while others identified the need for new national schemes, such as a Ministerial Council for Indigenous Heritage (sub 61, 67, 86), a National Heritage Forum (sub 55), or a national coordinated program of research (sub 86). Importantly, some submissions pointed out that heritage should be joined to the nation's larger public agendas, not only in the development-conservation-tourism, but in relation to health, well-being, physical and social-cultural resilience (sub 50). It should be noted that the submissions were not necessarily fully representative of heritage stakeholders.

Using the ideas provided in public submissions, and in consultation with relevant state and territory government agencies and other stakeholders, the Department will now commence the development of the Australian Heritage Strategy.