NATIONAL AND INTERNATIONAL HERITAGE MANAGEMENT PRINCIPLES: A PERSPECTIVE FROM AUSTRALIA

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Introduction

Australia is in the process of enacting national heritage legislation that is a considerable departure from the *Australian Heritage Commission Act* of 1975. Under the new regime, places entered on to the National Heritage List (NHL) will be the focus of the Commonwealth's heritage management role. The concept of a National Heritage List has been strongly influenced by World Heritage listing, but in this instance refers to places assessed to be of 'outstanding' national significance. Conservation of these places will be guided by a set of 'National Heritage management principles' given force through management and conservation plans. The National Heritage management principles are in the process of being drafted with public and professional participation being sought. This paper is a comparison of the proposed principles with those embodied in the charters of the scientific committees of ICOMOS, in particular the International Committee for Archaeological Heritage Management (ICHAM) and the International Committee for Cultural Tourism.

It is asserted that principles are only one aspect of heritage management, and perhaps they are all too easily corrupted unless there is an effective management framework to give force to those principles. In the 1990s due to an unrelenting series of conflicts between conservationists and industry, Australia undertook a nation-wide evaluation of its forestry industry. As part of the Ecological Sustainable forest Management program (refer to note), not only were processes developed for community involvement in the identification of heritage places (Figures 1 and 2; and Context Pty Ltd 1999), but a framework for evaluating effective management activities and a set of principles were developed. The outcomes of the RF A process along with the *Australian Natural Heritage Charter* and *Ask first: a guide to respecting Indigenous heritage places and values* provide further insights into management principles for the conservation of places of both cultural and natural significance.

Australia's heritage regime

In 1975, the Australian Heritage Commission was established to identify and register the National Estate having social, aesthetic, scientific and historic values; comprising indigenous, historic and natural places. That process led to development of the Register of the National Estate (RNE) which as of 20 June 2002 includes some 12,941 places; comprised of 909 Indigenous places, 9,968 Historic places, and 2,064 Natural places. These figures reflect the composition of the RNE as being made up of both natural and cultural places of local, state, national and international significance. As Australia is a federation of states and territories, the direct land management responsibilities of the national/Commonwealth government are for the most part restricted to the territories (Jervis Bay Territory, etc) or to its own lands and properties (defence estate, lighthouses, post offices, etc). As such, places listed on the Register of the National Estate (RNE) enjoy protection from the actions of the Commonwealth but are only protected from other actions if they are also on a state, territory or local government heritage list. The Commonwealth regards the agencies of the states and territories, and local governments as responsible for heritage places, except for those that lie upon Commonwealth lands and are entered on the 'Commonwealth List', or are determined to be of national significance.

National Heritage management principles

Under the new legislation, as a proposed amendment to *the Environment, Protection and Biodiversity Conservation Protection Act 1999*, those places listed on the National Heritage Register (NHR) will be managed in accordance with the National Heritage management principles. The draft principles are remarkably brief, numbering six:

1 The primary purpose in managing National Heritage places is to identify, protect, conserve, present, and transmit to future generations the National Heritage values.

2 The management of National Heritage places should make continuing use of best available knowledge, skills and standards for the place and, in particular, provide for ongoing technical and community input to decisions and actions that may have a significant impact on their National Heritage values.

3 The management of National Heritage places should promote the integration of any Commonwealth, State, Territory and local government responsibilities for those places.

4 The management of National Heritage places should provide for the appropriate use and presentation of the place and its National Heritage values.

5 The management of National Heritage places should make timely and appropriate provision for community involvement especially by people who:

(a) have a particular interest in the place, noting that Indigenous people are the primary source of information on the significance of their heritage and their participation is necessary for the management of Indigenous heritage values; and

(b) may be affected by the management of the place.

6. The management of National Heritage places should provide for regular monitoring, review and reporting on the maintenance of National Heritage values.

The National Heritage management principles resonate a common set of concerns, particularly with the emphasis on best practice and community and Indigenous involvement as well as monitoring of outcomes. One of the unique expressions is 'provide for the appropriate use and presentation of the place'. The integration of all levels of government activity in heritage conservation is also a powerful principle not expressed elsewhere.

Charters of the scientific committees of ICOMOS

ICOMOS is the inheritor of conventions and protocols dating back to *the Athens Charter for the Restoration of Historic Monuments* of 1931. The Athens Charter clearly identifies the essential role of the people who have a respect and have an attachment for the place (Byrne *et al* 2000:75). The *Venice International Charter for the Conservation and Restoration of Monuments and Sites* of 1964 deals with technical matters, as for the most part does *The Australia ICOMOS Charter for the Conservation of Cultural Significance* of 1979. The 1999 revision, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, places greater emphasis on community processes and intangible values, moving away from the focus of the Venice Charter upon technical expertise and the preservation of historic fabric (Truscott and Young 2000).

The scientific committees of ICOMOS have charters that represent a variety of approaches to conservation principles. Two charters are considered to be particularly relevant; the archaeological heritage management and the cultural tourism. The *Charter for the Protection and Management of the Archaeological Heritage* was drafted in 1990 under the auspices of the International Committee for Archaeological Heritage Management (ICAHM). Although there are many statements within the charter that could be construed as principles, six are specifically designated as such:

- Places of cultural significance should be conserved.
- The aim of conservation is to retain the cultural significance of a place.
- Conservation is an integral part of good management of places of cultural significance.
- Places of cultural significance should be safeguarded and not put at risk or left in a vulnerable state.
- Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible.
- Changes to a place should not distort the physical or other evidence it provides, nor be based upon conjecture.

The cautious approach of doing as much as is necessary but as little as is possible highlights the need to ensure that conservation actions are limited to what is appropriate. At times there is not enough funds to do what is necessary but at other times there is just too much money and the conservation impact is out of all proportion to the needs of the heritage place (Egloff and Newby in preparation).

The *International Cultural Tourism Charter: Managing Tourism at Places of Heritage Significance* enunciates the following principles:

- Since domestic and international tourism is among the foremost vehicles for cultural exchange, conservation should provide responsible and well managed opportunities for member of the host community and visitors to experience and understand that community, and its heritage and culture first hand.
- The relationship between Heritage Places and Tourism is dynamic and may involve conflicting values. It should be managed in a sustainable way for present and future generations.
- Conservation and Tourism Planning for Heritage Places should ensure that the visitor Experience will be worthwhile, satisfying and enjoyable.
- Host communities and indigenous peoples should be involved in planning for conservation and tourism.
- Tourism and conservation activities should benefit the host community.
- Tourism promotion programs should protect and enhance Natural and Cultural heritage characteristics.

This charter develops a code for the use of places by visitors and as such offers a contrast to charters that only touch upon visitation and interpretation. It also includes recognition that a place many represent conflicting heritage values (Figure 3). The notion of a place having conflicting values has been explored within the Australian context where Indigenous values are often represented at places highly valued for their historical qualities (Domicelj and Marshall 1994). A surprising

omission is reference to the economic importance of cultural tourism to local, regional, national and indeed international economies and the potential for conflict and negative impacts.

Ecologically Sustainable Forest Management (ESFM)

As part of a nation-wide process designed to meet with the conflicting demands of industry, government and communities over the allocation and use of forestry resources, the Commonwealth of Australia reached an agreement with the states on a set of criteria and principles to evaluate 'Ecologically Sustainable Forest Management' (ESFM) (Egloff *et al*. 1996). The principles required the conservation and maintenance of biological diversity, ecosystems productive capacity, health, soil and water resources and carbon cycles of the forests. However, within what are a set of natural heritage values was the inclusion of the following principle:

- protection of natural and cultural heritage values; and maintenance and enhancement of long-term multiple socio-economic benefits to meet the needs of societies.

The forest industry assessment considered five broad areas of management activity: commitment and policy framework, including legislation, planning, implementation, monitoring and compliance, review and improvement. In addition to an assessment of those activities, various over-arching principles were applied including a requirement for 'public transparency' with access to information, consultation and opportunity for public comment, as well as mechanisms for reporting outcomes. A 'scientific and technical basis' including the adequacy of information and the process for incorporation of information in the decision making process was another requirement. Establishment of indicators, standards and the monitoring of change or trends, quality performance characteristics, designation of goals and verification of performance were regarded as an essential part of the process as were a review and a focus upon feedback and the process for implementing outcomes of reviews. This was coupled with a need for 'compliance' that stressed audit arrangements, penalties and the achievement of stated goals. Identification of training needs including the delivery of education programs was also considered as essential.

Australian Natural Heritage Charter

The success of the Australia ICOMOS Burra Charter prompted the drafting of the *Australian Natural Heritage Charter for the conservation of places of natural heritage significance* (second edition). Key principles are as follows:

- The basis for conservation is the assessment of the natural significance of a place, usually presented as a statement of significance.
- The aim of conservation is to retain, restore or reinstate the natural significance of a place. A self-sustaining condition is preferable to an outcome that requires a high level of ongoing management intervention.
- Conservation is based upon respect for biodiversity and geodiversity. It should involve the least possible human intervention to ecological processes, evolutionary processes and earth processes.
- Conservation should make use of all the disciplines and experience that can contribute to the study and safeguarding of a place. Techniques employed should have a firm scientific basis or be supported by relevant experience.
- Conservation of a place should take into consideration all aspects of its natural significance, and respect aspects of cultura1 significance that occur there.

The Charter acknowledges the principles of: intergenerational equity, meaning the maintenance of the health and diversity and productivity of the environment; existence value, meaning that organism may have a value beyond social, economic and cultural; uncertainty, meaning that our knowledge is incomplete and that the full significance or value remains unknown; and, precaution meaning that when there are threats of irreversible damage, lack of full scientific certainty should not be a reason for postponing actions. Intergenerational equity and the precautionary principle are often included in definitions of 'ecologically sustainable development' (Australian Heritage Commission 2002b: 5). There is some concern that the precautionary principle could be misused and lead to inappropriate conservation measures. It is of interest that the natural charter acknowledges cultural significance where generally speaking the reverse is not true; ie, cultural charters acknowledging the presence of natural values.

Of considerable importance is the concept of reinstating natural significance. In some instances this can mean the creation of wilderness by removing places with cultural heritage significance.

Indigenous values

Australia as the only continent until historic times to be occupied solely by hunters and gathers and as such has a rich Indigenous tradition that continues into the presence. *Ask first: a guide to respecting Indigenous heritage places and values* acknowledges the principle that Indigenous people as the primary source of information on the value of their heritage and how this is best conserved; must have an active role in any Indigenous heritage planning process; must have an input into primary decision-making in relation to Indigenous heritage so they can continue to fulfil their obligations towards this heritage; and must control intellectual property and other information relating specifically to their heritage, as this may be an integral aspect of heritage value (Australian Heritage Commission 200a).

Of particular interest to indigenous people is their primacy in the heritage planning process and the rights to safeguard intellectual property (refer to Janke 1998), and indeed in certain instances to maintain the significant values of sacred places by keeping their knowledge of them and the location secret.

Note

Three complimentary process were involved in the forest review program: Ecological Sustainable Forest Management (ESFM), Regional Forest Agreement (RFA) and Comprehensive Regional Assessment (CRA).

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