



**Australasian Institute for Maritime Archaeology Inc**  
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## **Productivity Commission Heritage Enquiry**

Please find below the Australasian Institute for Maritime Archaeology Inc (AIMA) submission to this enquiry.

AIMA is an organisation, which was founded in 1982 for the express purpose of promoting the research and conservation of Australia's historic shipwrecks. The organisation has approximately 300 members. Most of our members are from Australia with significant representation from New Zealand. A number of international libraries and institutions are subscribers because of our internationally respected AIMA Bulletin. The AIMA membership is an eclectic grouping of diving enthusiasts, keen amateur archaeologists, shipwreck buffs, historians, conservators, students, university lecturers, terrestrial and prehistoric archaeologists as well as maritime archaeologists from government, academic and consulting bodies. The decision making body of AIMA, The Council, is composed of representatives from this disparate membership and it is a key feature of our organisation that there is a healthy, constructive and cooperative discourse between those who are employed to administer State and Commonwealth Acts which relate to the protection of shipwrecks and non-government members.

Besides hosting a forum for open discussion on maritime heritage matters, AIMA produces annually four newsletters and a peer reviewed journal. It also hosts an international conference each year and runs an avocational training programme in maritime archaeology. AIMA is also concerned with the preservation of underwater cultural heritage outside this country as is evidenced by its vocal support for the *UNESCO Convention for the Protection of Underwater Cultural Heritage* (UCH Convention) and its of raising money and equipment from members for the rebuilding of the Sri Lanka's Maritime Archaeology Unit in the wake of the Tsunami.

AIMA is supported by an annual grant from the Department of Environment and Heritage (DEH). AIMA acknowledges the Commonwealth's contribution and gives in return good value for money.

This submission addresses the following issues:

- ***Background***
- ***The economic benefits of conserving Australia's shipwreck heritage***
- ***What does it take to conserve Australia's shipwreck heritage?***
- ***What else is needed?***

## **Background**

Australia's maritime and shipwreck heritage is of great value to both the economy and our national identity. Individuals, the private sector and governments frequently work together to conserve this important part of Australia's heritage. While conservation of shipwrecks returns substantial economic benefits from tourism and educational spending, the real benefit to all Australians is an appreciation of our maritime history and a growing body of knowledge about the history of our economic, political, technological and everyday life.

In 1976, Australia took the lead in protecting historic shipwrecks among common law nations by enacting the Historic Shipwrecks Act 1976 (HSA). This landmark legislation should be a source of pride to all Australians, in that we rejected the exploitative paradigm of salvage law and instead chose to recognise the estimated 7000 shipwrecks lying in Australian waters as an essential part of our nation's heritage. Today, the HSA protects all shipwrecks more than 75 years old lying in Australian waters. Along with similar protective legislation in all of the states and territories, the HSA effectively describes an overarching policy, which recognises the importance of Australia's shipwreck heritage. These shipwrecks are clearly part of Australia's heritage, and should never be marginalized within the larger ambit of heritage conservation.

### ***The economic benefits of conserving Australia's shipwreck heritage***

Local communities, businesses and councils already recognise that the shipwreck and maritime heritage trails provide a lasting economic legacy for regional communities, not just for the tourism operators. In some regions this economic benefit is a major boom for the local economy. According to the Australian Bureau of Statistics, marine tourism and recreation is worth \$15 billion annually to the Australian economy from both domestic and international tourists. In fact, Australia is recognised around the globe as a major destination for diving holidays.

For example, Maritime Museums alone are worth a substantial amount of tourism revenue. Eleven of Victoria's Maritime Museums and historic ships attract a quarter million visitors annually. The Western Australian Maritime Museum (WAMM) and its Shipwreck Galleries gets 200,000 visitors annually and its web site gets 17,000 visitors per month. New South Wales's major maritime related museums have over 650,000 visitors annually. Many of the main attractions at these museums are shipwrecks because of the fascination they hold for the general public.

One shipwreck alone, the *Yongala*, wrecked on the Great Barrier Reef, attracts about 10,000 dives annually and earns local dive boat operators in excess of \$2 million per year, which doesn't include tourist spending on other hospitality services such as lodging, meals, souvenirs, air fares, and so on. Many of the 7,000 shipwrecks in Australia could also generate economic returns on the order of the *Yongala* site if resources were available to manage and protect those wrecks to the same extent as the *Yongala*.

Australia's recreational diving industry is a growth industry. In the 1980s it was estimated that there were 45,000 licensed scuba divers in Victoria alone. By 1999 there were over one million dives logged on the Great Barrier Reef in Queensland. Currently, there are over 70,000 trained scuba divers in New South Wales, catered to by over 130 dive shops and clubs.

Australia is a world leader in the emerging science of maritime archaeology. Substantial research has been done – and continues to be done – on wrecks such as the *Batavia* and

other 17<sup>th</sup> Century Dutch trading ships sunk in the waters off Western Australia, the *Sydney Cove* in Tasmania, the *William Salthouse* in Port Philip Bay, the HMS *Pandora* in Queensland, and countless others as well. The heritage value in these wrecks lies not only in their age or the treasures they carried, but also in the information they provide about life in colonial Australia in the form of tools, technology, household goods, and the social stratification of the crew's quarters. Obtaining such details from a shipwreck is painstaking archaeology work in an often-difficult underwater environment, requiring countless hours by trained experts. Australian universities have risen to this challenge, and today advanced degree programs in maritime archaeology are offered through Flinders University, James Cook University, and, most recently, the University of Western Australia. These programs attract students from around the world who make an enormous contribution to the Australian economy through payment of full-fee tuition as well as rent and other living expenses while studying here.

### **Key points**

***Australia's historic shipwrecks contribute to the nation's economy through;***

- ***increasing museum based tourism;***
- ***increasing site based tourism, and;***
- ***attracting fee paying overseas students.***

### ***What does it take to conserve Australia's shipwreck heritage?***

Under the HSA, primary responsibility for managing Australia's shipwreck heritage lies with museums and heritage organisations delegated in each state and territory. For example, WAMM is the delegated authority in Western Australia for managing and protecting shipwreck sites covered by the Act. In Victoria, the Maritime Heritage Unit of Heritage Victoria has that responsibility.

These agencies receive some Commonwealth funding specifically earmarked for the Commonwealth Historic Shipwrecks Programme, but the reality is this is not enough. Current funding to these agencies through DEH is barely enough to cover minimal documentation of only the most important sites. In most states the annual funding is insufficient to employ a qualified individual fulltime to manage and implement the legislation that the funding is intended for. Funding is insufficient to even consider new archaeological projects, such as WAMM's proposed work at the site of the *Zuytdorp*, a Dutch VOC wreck, which still contains substantial quantities of valuable coins, which attract looters.

The Commonwealth is not realising the real benefits that can be gained for the community by only a small increase in its funding to the Commonwealth Historic Shipwrecks Programme.

An astonishing amount of work is performed by volunteers either as private individuals or collectively from groups such as AIMA, the Maritime Archaeological Association of Western Australia (MAAWA), the Maritime Archaeology Association of Victoria (MAAV), the Society for Underwater Historical Research in South Australia (SUHR), and so on. Members of these groups have obtained advanced training – at their own expense – in underwater shipwreck surveying and documentation techniques, and spent countless hours and dollars assisting the museums and heritage agencies in carrying out their work. This contribution is substantial and is highly appreciated. For example, the DEH Funding Agreement for the 2004-2005 Historic Shipwrecks Programme at WAMM specifically refers to the involvement of MAAWA volunteers on some of the projects supported by the Funding Agreement.

Similarly, students at the various University programmes in underwater archaeology make a substantial – and free – contribution to the conservation of Australia's historic shipwreck heritage. These programmes invariably include substantial field work of a very high calibre. The 2004-2005 Funding Agreement between DEH and WAMM anticipates a substantial involvement by University of Western Australia students in the Albany Wrecks project.

AIMA, in conjunction with the UK-based Nautical Archaeology Society, has for several years offered low-cost weekend courses and workshops in underwater archaeology to the general public. These courses enhance public awareness of the importance of Australia's shipwreck heritage, and in many cases graduates go to become very active volunteers in organisations such as AIMA, MAAV, etc., and occasionally become working professionals in the field.

Still other volunteers contribute in a variety of ways. One member of AIMA has been monitoring the EBay auction website for sales of artefacts from Australian shipwrecks, transactions that are illegal under the HSA, and has brought a number of these transactions to the attention of DEH for enforcement.

At present, there is little private sector activity directed at conserving Australia's shipwrecks. However, a number of private firms often donate time or loan equipment to aid various heritage projects. For example, Fugro Surveys Pty Ltd has loaned its aerial magnetometer equipment to WAMM which proved instrumental in the recent discovery of a Portuguese mail ship that sank off the Northwest coastline in 1816.

### **Key points**

#### ***The management of Australia's historic shipwrecks;***

- ***Is partially funded by the Commonwealth Historic Shipwrecks Programme. The CHSP grant is barely sufficient to maintain the essential management services and a small increase in the annual grant could deliver real economic benefits to the nation;***
- ***Enjoys input from dedicated volunteers who do not have the capacity, time and resources to cover the shortfall in public funding for this important heritage sector, and;***
- ***Enjoys private sector contribution to shipwreck conservation but it is nowhere near the level of private support for heritage-listed buildings, for example.***

#### ***What else is needed?***

There is still an urgent need to educate the public about the importance of Australia's shipwreck heritage. Too often, shipwrecks are viewed as sources of "sunken treasure" that are recovered by heroic adventurers. Popular media images mindlessly reinforce this image, through popular films such as *Titanic* or the recently released *Sahara*, and even in otherwise reputable journals such as *National Geographic*. Instead, we need to raise more awareness within the community to minimise impact on wreck sites, and to appreciate them as the cultural heritage sites that they are.

The way in which the Commonwealth delegates administration of the HSA could be improved. For example, while DEH had the foresight to establish the position of Shipwreck Officer – an important point of contact for the state agencies, archaeologists, heritage professionals, and others working to preserve this part of Australia's past – all too often the

Shipwreck Officer position has been filled by someone with virtually no education or experience in maritime archaeology or, more importantly, the particular issues involved. This has resulted in no little frustration for maritime heritage professionals working throughout the nation. This problem is further exacerbated by the relatively frequent turnover in the position. Consequently, initiatives and projects discussed with the Shipwreck Officer must again be explained to a new officer – a poor use of time and resources for all concerned, not least the Commonwealth.

A specific example is the creation of a National Maritime Heritage Strategy, first discussed between the Shipwreck Officer and a group of working professionals known as the Historic Shipwrecks Act 1976 Delegates, comprising state officials, maritime archaeologists, heritage professionals and independent consultants from every state and territory. The National Maritime Heritage Strategy was first discussed in 2001, but is yet to be finalised. One reason for the delay is that since 2001 the Shipwreck Officer has changed three times. It is difficult to maintain any sense of continuity in projects or initiatives with this high rate of turnover. It would be far more productive for the Shipwreck Officer to be appointed on the basis of relevant education – such as tertiary qualifications in maritime archaeology - and experience.

Another area where management and administration of the HSA could be improved is in the choice of state agencies to which the Commonwealth delegates this responsibility. The Commonwealth Parliament showed a great deal of foresight in drafting the HSA to be administered by appropriate bodies in each state. This not only ensures a high degree of cooperation in administering the HSA in conjunction with corresponding state legislation, but it clearly makes for a much more efficient use of public resources. However, in some State and Territories the agency, which administers the HSA is not the same agency that administers the corresponding State or Territory heritage legislation. This results in the duplication of applicable resources and effort as well as diluting the effects of good management. Were the Commonwealth to negotiate with those States and Territories on this point, productivity gains would most definitely result.

There is room for a greater contribution from the private sector. Dive operators on the *Yongala* in Queensland pay no fee to use the site, yet they enjoy substantial revenue from the public's investment in protecting this shipwreck site. Legislation should be explored to attempt some contribution from commercial users of historic shipwrecks in a 'user pays' system. With proper management, many sites besides the *Yongala* could also generate revenue from commercial dive operations to help offset the costs of conserving those sites.

The HSA itself is overdue for revision. In 2001, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) adopted the Convention for the Protection of the Underwater Cultural Heritage (UCH Convention). While similar in philosophy to the HSA, the UCH Convention protects all types of submerged material culture, such as inundated human occupation sites, sunken aircraft, jetties, and other structures that otherwise meet its criteria for protection. The HSA should likewise be amended to encompass this broader definition of 'underwater cultural heritage'. Such amendment would also complement most state heritage laws which do not distinguish between shipwrecks and other forms of cultural heritage whether on land or underwater.

In addition, the Commonwealth should resolve to become one of the first nations to ratify the UCH Convention. So far five nations have ratified the Convention with China signalling its intention to do so in the near future. The first 20 nations to ratify will form a management and review committee for the UCH Convention, so it is important that a major maritime nation such as Australia be among the first 20 to ratify and sit on this important committee.

It is also only appropriate that Australia be among the first nations to ratify, given that the UCH Convention came about largely through the efforts of two Australians, Prof. Lyndel Prott

was formerly the Director of the UNESCO Cultural Heritage Division and worked tirelessly for many years to see that the Convention came into being, while Dr. Patrick O'Keefe began discussions within the International Law Association shortly after the enactment of the HSA on the need for such an international convention to give effect to parts of Australia's legislation. For example, although the HSA purports to protect shipwrecks lying on Australia's continental shelf more than 24 miles from shore, international maritime law probably would not recognise Australian jurisdiction for that purpose. The new UCH Convention has provisions to address this situation.

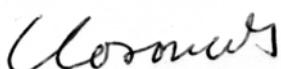
Finally, a higher level of public funding is necessary to properly preserve and manage Australia's shipwreck heritage. Current funding is simply insufficient. However, it must be said that any level of funding is highly leveraged through the participation of the many volunteer groups and individuals described previously. In this regard, public money allocated toward the conservation of historic shipwreck sites is still a bargain, considering how much labour is donated at no charge. Increased funding will only attract an increased level of volunteerism, so in this respect the Commonwealth can expect a continued high degree of productivity with the additional funding.

#### Key points

***For the greater efficiency and economically productive management of Australia's historic shipwrecks it is suggested;***

- ***Public education on the long term economic benefits of the preservation of shipwrecks continue;***
- ***That the tenure of the Commonwealth Historic Shipwrecks Officer be increased or that a qualified maritime archaeologist, either as a contract or on secondment, fill the position on a short term basis;***
- ***That the Commonwealth explore whether productivity gains that would arise if a single State agency had responsibility to administer its State based heritage legislation as well as being the delegated authority for the Commonwealth Historic Shipwrecks Act 1976;***
- ***Allow Delegated agencies to supplement Commonwealth Historic Shipwrecks funding by instituting a 'user pays' system for access to wrecks within a Protected Zone (as defined in HSA Section 7);***
- ***Amend the Commonwealth Historic Shipwrecks Act 1976 to incorporate all forms of physical cultural heritage located in Australian waters;***
- ***That the Commonwealth ratify the Convention for the Protection of Underwater Cultural Heritage, and;***
- ***Increase the annual funding allocation to the Commonwealth Historic Shipwrecks Programme.***

Yours sincerely



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