

# **CONSERVATION OF AUSTRALIA'S HISTORIC HERITAGE PLACES**

**ADDITIONAL SUBMISSION  
FROM THE HERITAGE COUNCIL OF VICTORIA  
COVERING PLACES OF HISTORICAL ARCHAEOLOGICAL  
SIGNIFICANCE**

**February 2006**

## **Introduction**

This submission has been prepared for the Heritage Council of Victoria by its Archaeological Advisory Committee. The Archaeology Advisory Committee provides the Heritage Council and Heritage Victoria with advice on historical archaeology issues. The Committee's membership is drawn from the archaeological and heritage communities. The purpose of this submission to the Productivity Commission is to further elaborate on the Heritage Council of Victoria's submission and address issues relating to archaeology and the challenges faced in the management of historical archaeological places. The Council is grateful to the Archaeological Advisory Committee for its detailed consideration of the Productivity Commission's draft report.

## **Recognising the significance of historical archaeological places**

Aside from the initial definition and terms of reference, the Productivity Commission provides no specific reference to historical archaeological places within the draft report. The Heritage Council recommends that the Productivity Commission's final report recognise the diverse values of historical archaeological sites and the issues faced in its conservation and management.

The Commission should also acknowledge the strong and developing community interest in archaeological sites and projects, for instance the overwhelming public response throughout the conservation of Casselden Place in Melbourne. The community interest in archaeology is also relevant to the development of tourism programs. For instance, historical archaeological values are central to the significance, appeal and promotion of the nationally listed Castlemaine Diggings National Heritage Park.

Historical archaeological sites are a significant component of Victoria's historic heritage places. The Heritage Inventory, Victoria's list of all known historical archaeological sites established under the Heritage Act by the Executive Director of Heritage Victoria, contains more than 6,200 sites. During the 2004-2005 financial year, the Executive Director issued consents to authorise historical archaeological investigations and associated work on 131 sites (more than 20% of all approvals issued by the Executive Director). Approximately 140 of the 6,200 listed historical archaeological sites also appear on the Victorian Heritage Register. The majority of these listed relate to the gold mining industry, usually having considerable visible material remains (batteries, boilers, engines etc). It should be noted that there are very few historical archaeological sites on the Register based on their potential archaeological values alone.

Although historical archaeological sites should not be considered to be fundamentally different from other types of heritage places, the nature and the intrinsic uncertainty associated with deteriorated, concealed or forgotten sites presents specific challenges in terms of management and conservation. The Productivity Commission's recommendation of negotiated agreements could make the management of historical archaeological sites more problematic.

## **Current issues**

### Education and awareness at local government level

Currently there are no mechanisms to inform owners, local government officers or other interested parties if a place is included on the Heritage Inventory. Heritage places that are considered locally significant are included on Heritage Overlays, but historical archaeological sites are rarely identified through the planning system. There is a need to increase the knowledge of archaeological sites and effectively integrate this information into the appropriate planning mechanisms, particularly at the local government level.

### Heritage Advisors

In Victoria, the Heritage Advisor system allows local governments to draw on heritage expertise, usually in a part-time capacity. However, the majority of Heritage Advisors are architects with very little archaeological expertise. The Archaeology Advisory Committee has recommended to the Heritage Council that a network of regional Archaeology Advisors be established to provide advice to local government and assist with the management of historical archaeological sites throughout the state. The network of advisers with archaeology expertise would ensure that informed and consistent advice is provided throughout the state.

The Archaeological Advisory Committee, on behalf of the Heritage Council, is in the process of reviewing the management of historical archaeological sites. The Committee has amended the standard brief for Heritage Studies and Conservation Management Plans to ensure that historical archaeological sites and historical archaeological values are appropriately considered. The Committee has also developed a suite of permit exemptions that relate specifically to the historical archaeological values of a place.

## **Establishing a framework for archaeological research**

Archaeological work has the greatest value when it is conducted within a detailed research framework, which enables the findings to contribute to our understanding of historical activities. Archaeological work and the costs associated can be criticised if the benefits and outcomes resulting from the investigation are not seen to outweigh the costs or are not presented in a way that is accessible for the broader community.

A key element in the development of successful research frameworks is a detailed understanding of the archaeological resource. At present, almost all archaeological work conducted in Victoria is funded by development. Most of Victoria's recorded historical archaeological sites are located along the road corridors (identified during VicRoads projects), in the Melbourne CBD or in the central goldfields (identified during mining surveys). Much of the historical archaeological character of the State has not been evaluated, due to its location in areas which have not experienced high levels of development pressure. There is a need for a more systematic approach to the assessment of the State's historical archaeological resources, for instance through the use of local government heritage studies (which traditionally have not considered archaeological sites).

Over the last two years the Archaeological Advisory Committee, on behalf of the Heritage Council, has commissioned four historical archaeological site identification and assessment projects, in partnership with various local governments. These studies have been very useful in beginning to identify historical archaeological sites, but many more

of these studies need to be undertaken to develop a wider understanding of Victoria's historical archaeological fabric.

Research frameworks can be used to determine how historical artefact collections should be acquired, conserved, stored and used. Similarly, issues such as site conservation and interpretation and the preservation of *in situ* fabric must take into consideration the research value and significance of the site.

Once a research framework has been developed, better informed planning and management decisions are possible. For instance, it may be determined that the potential archaeological values of a place are high if it is likely to contribute to significant research design questions. Conversely, another place may be assessed as having a low level of potential archaeological significance, requiring a low level of investigation or monitoring, if it is unlikely that research questions will be addressed. Obviously it will be necessary for research frameworks to remain flexible and evolve as historical, archaeological and other information comes to light.

## **Case studies**

The two case studies below demonstrate the different aspects of the historical archaeological site protection and management system. The Glenrowan Heritage Precinct case study demonstrates the effective use and flexible nature of permit exemptions and permit policies. The Collins Settlement Site case study demonstrates the challenges the implementation of voluntary listing may impose on historical archaeological sites.

### Glenrowan Heritage Precinct

The Glenrowan Heritage Precinct, located in central Glenrowan, is associated with the notorious siege leading up to the capture of Ned Kelly and the deaths of his gang members Joe Byrne, Dan Kelly and Steve Hart in June 1880.

The Glenrowan Heritage Precinct is archaeologically significant for its potential to reveal artefacts from the siege event. A large volume of ammunition was expended and there is a tradition of discovery of spent bullets from the soil. As well, the sites of demolished early buildings such as McDonnell's Hotel and the Glenrowan Inn have the potential to reveal artefacts both from the siege and from their everyday usage.

The permit policy for the precinct states:

*It is not the intention of this registration to prevent or preclude development within the precinct, or to say that the existing fabric within the precinct that post dates the siege should be subject to controls. In many ways the place is similar to the Eureka Historical Precinct in Ballarat, and it is intended that the registration recognises and reinforces the cultural heritage significance of the place. The essence of the significance of this precinct lies in its ability to interpret the events of 26-28 June 1880. Despite some development over the years, the precinct's character is still low key and the topography lends itself to interpretation.*

Accordingly, permit exemptions within the Glenrowan precinct allow normal building developments to take place without the need for a permit, and requirements for archaeological investigations or monitoring are only made for areas like the Glenrowan Inn, which are considered to have a high level of archaeological potential.

## Collins Settlement Site

The Collins Settlement Site is historically significant as the site of the British Government's first official settlement in southern Australia. The British Government's decision to establish a settlement in southern Australia appears to have been prompted by favourable reports of Port Phillip Bay and concerns about the interest of the French in the area. Lt-Governor Collins led the colonising party of 467 persons despatched from England. The majority of the party consisted of convicts, but also on board were military personnel, administrative staff and a few free settlers. Some of the staff and settlers were accompanied by their wives and children.

The settlement was established on an area of land between the Western Sister and Eastern Sister, prominent headlands which mark each end of Sullivan Bay. The site was initially a tent encampment, although work commenced quickly on the construction of a jetty, huts and other timber structures. Local limestone was apparently used to construct chimneys for the huts, and for the building of the magazine. Additionally, barrels set into sand to trap fresh water, wells and privies were dug and land was cleared for the growing of crops (perhaps totalling several acres).

In 1804, Collins decided to move the settlement to Van Diemen's Land where John Bowen had established a settlement at Risdon Cove in 1803. They were moved as two parties. The second group left on 20 May, just over seven months after the settlement had been established.

Surviving physical evidence of the Sorrento settlement is limited to oak barrels, recovered in 1926, and artefacts thought to date to the initial settlement of the area such as the remains of a hand blown brandy bottle inscribed "Old Cognac 1795", and a pair of leg irons.

From the perspectives of global colonisation, the site contains historical fabric, associations and meanings that are vital to the understanding of the history of colonisation in southern Australia. The Collins Settlement Site is one of few Australian 'founding' sites that have survived two centuries of change. Like The Rocks in Sydney and Risdon Cove in Tasmania, the landscape of Sullivan Bay has revealed evidence from its founding period. More evidence may survive to be revealed as a result of future investigations, and the site is considered to have a high level of archaeological potential.

Most of the Collins Settlement Site is located on privately owned land. The value of the land, on the Sorrento foreshore is very high, and the area faces very high development pressures. It is unlikely that some of the owners would be prepared to enter into voluntary agreements that would preserve the archaeological and broader heritage values of the place and restrict development opportunities.

## **Negotiated agreements**

The implementation of a conservation management system that relies solely on the use of negotiated agreements would be detrimental to the protection and management of historical archaeological sites. It would be difficult to negotiate a satisfactory agreement for the management of an archaeological place when the values cannot be immediately demonstrated. In many cases, the significance of a site only becomes apparent as an archaeological excavation develops or as artefact analysis is undertaken.

The current provisions of the Victorian *Heritage Act 1995*, which specify that consent must be obtained from the Executive Director before any historical archaeological remains are disturbed, ensures there is an opportunity for a site to be appropriately assessed.

The concept of the negotiated agreement assumes that all aspects of a site's significance are known, as are its management challenges. In fact, the knowledge of individual sites and historical archaeological heritage in general is very limited and many research themes have yet to be developed or addressed in a meaningful way.

Under the provisions of the *Heritage Act*, it is an offence to disturb any historical archaeological sites over 50 years old unless consent has been obtained. This blanket protection provides a basis for the negotiation and communication that accompanies all applications to excavate or disturb historical archaeological sites. Without this level of legislative support, it would not be possible to address the particular management requirements of archaeological sites with all the implicit uncertainties that archaeology entails.

Currently, approvals for historical archaeological work or for the disturbance of historical archaeological sites are not issued without some form of negotiation. In some cases, this may involve the relocation or alteration of an area of proposed disturbance to avoid archaeological sensitivities. Negotiation also takes place concerning the timing, resourcing and promotion of an historical archaeological program. Importantly, it is the existence of the statutory approval framework that allows this negotiation process to take place in an effective and efficient way. It is unlikely this could occur at the identification stage.