
Heritage: what's in a name?

Cheryl Simpson

The concept of heritage is being continually shaped by political and legal changes.

The notion of 'heritage' has the ability to fill us with an overwhelming sense of nostalgia. It is an emotionally charged word capturing a myriad of meanings. It is also a notion which has changed over time. It has been suggested that heritage is in a sense an intangible, that as a concept its value lies in its psychological impact. Heritage conjures up feelings for a past imbued with a sense of obligation towards our ancestors and descendants. The value we place on the past is defined by what we value today.¹

The evolution of heritage

Because of this emotive force the idea of heritage has been used as a political tool by developers, demolishers and conservationists alike. The meaning of heritage has considerably broadened since the 1970s when the United Nations Educational, Scientific and Cultural Organisation (UNESCO) officially adopted the term 'heritage' to encompass both the built and natural remnants of the past.² This enlarged definition of heritage came about at a time when people in Australia (and elsewhere) expressed considerable interest in quality of life issues. During this period this concern was reflected in a wide array of major legislative reforms and social movements. The Report on The National Estate in 1974 (The Hope Report), the introduction of a national health scheme in 1975, the passing of the *Family Law Act 1975*, the development of community legal centres and the emergence of a number of environmental groups can all be seen as part of this broad concern.

Prior to the 1970s the National Trust had been the only major group which had shown any determined interest in the preservation of 'old buildings'. Its focus had been on saving the 'very best' of stately homes which largely reflected the taste of its bourgeoisie members who were predominantly Anglophile, upper-middle-class citizens.³ But during the 1970s the mood changed. One example of this shift in thinking was the considerable effort put into conserving a number of inner city terrace houses both in Sydney and Melbourne on the basis that protection of buildings and parklands in these areas were quality of life issues. This effort was primarily sponsored by a new constituency which was concerned with 'heritage'. Davison summarises the shift in focus in the heritage arena as follows:

The political voice of the conservationist movement in the inner suburbs was the residents' association or residents' action group. One of the first such groups, the Carlton Association, emerged in the 1969 in response to a proposal by the Victorian Housing Commission to declare an area of small but sound terrace houses in the neighbourhood of Lee Street, North Carlton a 'slum reclamation area'. In resisting the Housing Commission, the residents expressed a desire 'to maintain the historic character of Carlton' although cynical observers suspected an equal concern with local property values. With their concern for the general environs of the inner suburb, the residents' associations represented a step away from the tradition of architectural connoisseurship associated with the first phase of the National Trust's activity.⁴

The new environmental politics which was played out in the inner suburbs of Melbourne and Sydney by an articulate pressure group focused on far broader issues than the traditional concerns of the National Trust and brought with it unprecedented change to the politics of heritage.

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This political change was, of course, part of the wider movement which led to those legal and social reforms reflected in community concern with the quality of life issues described above. In the particular area of 'heritage' an important development was the enactment of the *Australian Heritage Commission Act 1975* by the Commonwealth Parliament. This Act grew out of the Whitlam Labor Government's election promise to establish mechanisms to conserve and preserve the National Estate. The Act defined the national estate as:

those places, being components of the natural environment of Australia or the cultural environment of Australia that have aesthetic, historic, scientific or social significance or other special value for future generations as well as the present community.

This broad definition of heritage is incorporated in legislation at a State level.⁵

New legislation – and a new political game

During the 1970s a number of States also introduced heritage legislation. For example, the *Historic Buildings Act 1974* (Vic.), the *Heritage Act 1977* (NSW) and the *Heritage Act 1978* (SA). The forces which gave rise to this new legislation may have been expected to have heralded a new dawn in the politics of heritage at a grass roots level. Instead, over the ensuing years a new professional class has evolved which regards itself as the appropriate group to identify and classify our heritage. Made up of town planners, architects, lawyers, historians and archaeologists, this group provides expert advice on how to negotiate the conservation maze. And as is the case with any emerging profession, the heritage profession has developed its own vocabulary which has been described as 'quasi-scientific'. It is true that this new profession grew out of the perceived need to deal with a bureaucracy which had developed along with new and ever increasing legislative change. But it must be questioned as to whether the arbiters of what constitutes our 'heritage' will necessarily be any more insightful than the lay person. Davison maintains:

The heritage business is subject to constant tension between the demands for bureaucratic consistency and impersonal expertise on the one hand, and for popular participation and local autonomy on the other . . . There is now a disconcerting gap between the arcane language and specialised concerns of the professional guardians of the heritage and its lay inheritors. [p.11]

The politics surrounding heritage buildings over the last 30 years has indeed shifted away from the specialised pressure groups such as the the National Trust during the late 1950s and 1960s and the environmental groups of the 1970s. But debate continues around what is to be regarded as being of 'heritage value' and one must question whether this debate is now controlled by a new professional elite.

The Heritage Act and the definition of heritage

Under the *Heritage Act 1993* (SA), before a place is deemed to be of heritage value and then placed on the Register, one or more of the criteria for heritage value must be met. Furthermore, before a place is entered on the Register, notice must be given to the owner or other interested parties as to why the place is considered to be of heritage value. The opportunity then exists for the owner to present a written submission within three months of the intention, arguing for or against the reasons given for the place to be of heritage value (see s.17(4)(a)(ii)).

Of course the criteria for establishing 'heritage value' are the most contentious. Section 16 outlines the criteria for heritage value as follows:

[a] place is of heritage value if it satisfies one or more of the following criteria:

- (a) it demonstrates important aspects of the evolution or pattern of the State's history; or
- (b) it has rare, uncommon or endangered qualities that are of cultural significance; or
- (c) it may yield information that will contribute to an understanding of the State's history, including its natural history; or
- (d) it is an outstanding representative of a particular class of places of cultural significance; or
- (e) it demonstrates a high degree of creative, aesthetic or technical accomplishment or is an outstanding representative of particular construction techniques or design characteristics; or
- (f) it has strong cultural or spiritual associations for the community or a group within it; or
- (g) it has a special association with the life or work of a person or organisation or an event of historical importance.

Implementation of the criteria

An example of the process which is required to satisfy s.16 is that which had the Payneham Road Uniting Church and Hall placed on the State Heritage Register. This Church was said to be:

[b]uilt in 1882 and 1905 respectively, the church and hall exemplify the significance of evangelical Wesleyanism in the nineteenth century South Australian community, and are of outstanding architectural importance as a pair of fine Gothic revival buildings which constitute a notable landmark.⁶

In seeking to establish the heritage value of these buildings it was argued under s.16(a)(e) that the said buildings '[demonstrated] important aspects of the State's history in exemplifying the importance of the Wesleyan faith during the settlement of the Adelaide metropolitan area', that they also '[demonstrated] a high degree of aesthetic accomplishment in the manner in which the two buildings complement one another and address the street junction', and that they were an 'outstanding representative of particular design characteristics in [their] Gothic styling'.⁷

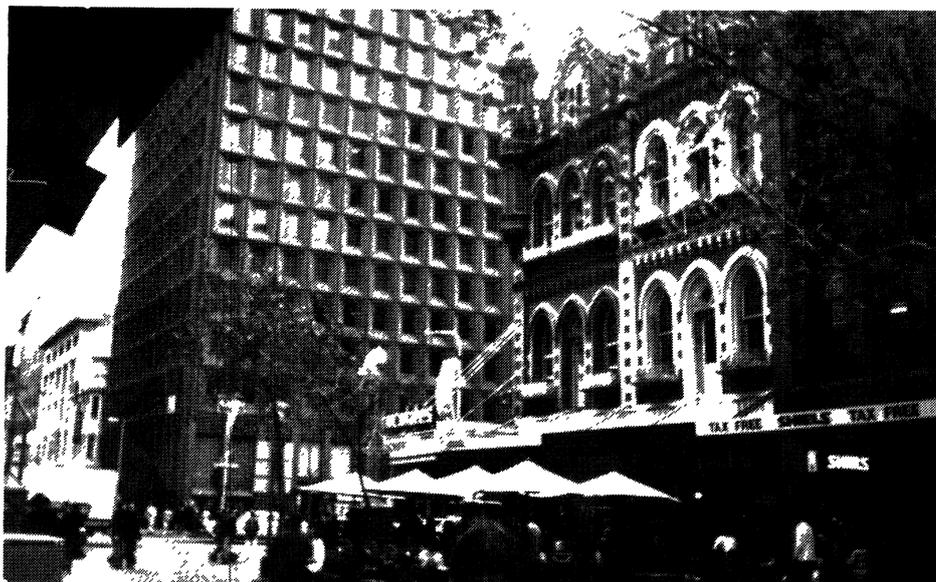
This case file provides a good example of the manner in which the bureaucracy has captured the heritage game. The submission presented a strong case for heritage listing by providing relevant information which was tightly argued and used the quasi-scientific language of the heritage professionals. Words such as 'of outstanding importance' take on a particular meaning within the context of the report and reflect the wording of the Act.

Such language is reflected in all heritage matters from legislation to reports, conservation studies, heritage journals and magazines. Mc Conville sums up the approach adopted by the National Trust journal, *Heritage Australia*:

[h]ere the ideas of the professional are displayed for the ordinary citizen interested in conservation but lacking the expertise. The professional tone is muted. Most of the material on individual buildings or places begins with a biography similar to those in Historic Houses. Then comes the more difficult task of explaining why a church, or a mill or cottage might be regarded as part of heritage. The author then rates the building by some sort of ranking activity. Often the conservation-worthy building is presented as 'unique'.⁸

Words such as 'outstanding', 'notable' and 'remarkable' are found peppered throughout heritage journals, reports and legislation. This provides a sense of an objective test that can be applied to the selection and decision-making process as to what is placed on the Heritage Register. It also sits comfortably with a bureaucratic process which requires order, and consistency.

But the professionals who work in the heritage area have quite different views as to what is 'significant' or 'outstanding'



Beehive Corner, Adelaide: the old and the new – but what do we preserve?

The Authority at present consists of, an environmental lawyer, a land agent, an Anglican archbishop, a member of a local government authority, an engineer, an architect and the Director of the National Trust.

Heritage politics

What is protected or conserved depends on who has the most powerful voice of the day. The National Trust which was once the only voice, now has to compete with the well articulated views of a variety of other interested parties in the politics of heritage such as town planners, property developers, architects and historians. As a consequence we have seen a shift in focus as to what is seen to be of heritage value. In 1985 the Australian Heritage Commission commented:

[t]he feeling that Australian buildings and Australian architecture are too recent to be

compared with the great buildings of Europe and the rest of the world has in the past caused the historic environment to be greatly undervalued. There have been other forces. One has been the influence of the modern movement in architecture and the insensitivity it has generated in Australian architects towards both the built and natural environment.¹⁰

The influence of the modern movement in architecture is very much a part of the current heritage debate in Perth, Western Australia. Peter Ward writes of the move to demolish Council House on St Georges Terrace, a 1962 administration building and one of Perth's best examples of the International Style. According to Ward, the crux of the collision of minds regarding the importance of this building hinges on the following:

[t]he commissioners in their wisdom apparently found that the council administration building of 1962, was not in sympathy with the 'colonial' buildings in the area and would detract from the historic precinct.¹¹

Well known architect Harry Seidler is quoted as saying:

I am appalled at the insensitivity that would contemplate demolishing this fine building. The remarkable thing about Council House is that the building is designed to the highest possible standards in architectural terms, which has lasted throughout its time not only physically, but has remained aesthetically valid.¹²

In the final analysis it will be the State Government's Heritage Council which will make the decision. One wonders how many architects are on Council and how they view the International Style.

Heritage and development

It has been said that 'heritage – what we value in the past – is largely defined in terms of what we value or repudiate in the present or fear in the future'.¹³

Most critics have argued that 'heritage', to the extent that it is ever clearly articulated, presents a highly selective and essentially conservative, reading of the past. Similarly, while many heritage organisations claim to speak on behalf of 'the community', the precise nature and extent of their support base is seldom more precisely defined.¹⁴

And as Davison says: 'heritage is above all a political concept. It asserts a public or national interest in things traditional-

heritage. Architects place emphasis on consideration of an aesthetic environmental approach, whereas historians focus on historic buildings which can be read as a social document. Davison describes the criteria which would be applied to these two professions by presenting the different questions asked by those of different professional backgrounds. He suggests that architectural historians would consider matters such as the style and design of the building, the use of buildings and building technology and whether the work of the architect is well regarded. In comparison, the historians focus would lie elsewhere. The consideration for this group is of a far broader nature and would address historical matters of political, social and intellectual concerns.⁹

Both approaches can be accommodated under s.16 of the *Heritage Act* as the listed criteria for consideration is suitably general. But this merely indicates the vagaries of the law in this area. Furthermore the decision as to whether a place is of heritage value only needs to satisfy one of the criteria listed. Again, this introduces considerable flexibility into deciding what is of heritage value.

Experts or elites?

The *Heritage Act* gives power to the State Heritage Authority to make the decision to place a building on the Register. There are eight members and they are appointed by the Governor. The Act provides for a variety of people with various expertise to become a member of the Authority. Section 4(3) provides:

Seven of the members must be persons with knowledge of or experience in history, archaeology, architecture, the natural sciences, heritage conservation, public administration, property management or some other relevant field and the other member must be a person with knowledge or experience in heritage conservation nominated by the Local Government Association and approved by the Minister.

Clearly the make-up of the authority will be important as to the places regarded as suitable for the Register. An Authority for example, could constitute a number of architects and no archaeological expertise, thus making some submissions more likely to attain heritage status based on an argument which relies on particular criteria under s.16 of the Act.

ly regarded as private.¹⁵

The fight to retain those glorious old stately buildings seems to loom large in the mind of many as representing our cultural heritage. John Stevens writes of the need to preserve Melbourne's heritage in an article titled 'City's Rich Heritage Under the Hammer' where he argues:

Melbourne must keep its old buildings if it is not to become a bland city. Our built heritage is as important to how we look to outsiders as our treasured man-made parks, perhaps more important.¹⁶

His concern was primarily with the demolition of an old woolstore next to the railway line at Kensington in Melbourne, Victoria. How one decides what is of heritage significance clearly depends on one's view of what is important to conserve and why. Harry Siedler's concern for the protection of our modern office buildings clearly is argued from an architectural view which many ordinary citizens may not share. Buildings in the International Style may simply be viewed as 'ugly office buildings'. John Stevens' plea for the retention of Melbourne's old buildings may present an equally spurious argument for the conserving of our heritage. The bigger question is why is there such concern over the conservation of so many buildings at this point in time.

It would appear that the politics of heritage buildings has become one of increasing importance as planning and urban issues become a focus of the Federal Government. Current debates over the nature of the city, the urban sprawl and the need for medium density housing are all matters which must not be overlooked in the arena of heritage politics.

In this context the *Heritage Act 1993* must be considered alongside the *Development Act 1993* (SA). While the former Act, discussed above, contains much of the law on heritage matters, the *Development Act* also deals with such concerns. This Act says in its preamble that it is:

An Act to provide for the planning and regulate development in the State . . . to make provision for the maintenance and conservation of land buildings where appropriate.

Under the *Development Act*, the local heritage value of buildings is considered in the light of *Development Plans*. Section 23(4) provides:

- [a] Development Plan may designate a place as a place of local heritage value if –
- (a) it displays historical, economic or social themes that are of importance to the local area; or
 - (b) it represents customs or ways of life that are characteristic of the local area; or
 - (c) it has played an important part in the lives of the local residents; or
 - (d) it displays aesthetic merit, design characteristics or construction techniques of significance to the local area; or
 - (e) it is associated with a notable local personality or event; or
 - (f) it is a notable landmark in the area.

Once a place is designated as a place of local heritage value it is then placed on an inventory of the State Register, under the *Heritage Act* (s.14(1)). But this does not mean that buildings placed on the inventory are registered buildings for the purpose of the *Heritage Act* (s.14(3)). A building would still have to satisfy the heritage value criteria under s.16 of the *Heritage Act* for such registration to occur.

It may be possible to fulfill the criteria for heritage 'listing' under one Act but not the other. This inclusion in 'development' legislation of heritage matters thus raises many important ques-

tions not least of which is how the relationship between the two Acts will evolve. It remains to be seen how the politics of heritage plays out under these two very different Acts and what meaning they may give to buildings of 'heritage value'. Is a building of 'local heritage value' somehow seen as something of lesser importance than a building on the State Register and if so why?

Conclusion

As the heritage debate continues and the definition of heritage becomes blurred, legislation appears to broaden its definitions in an attempt to keep up with changing arguments and ideologies. While new legislation in South Australia can be seen as an attempt to gain some broad consensus on the question of what constitutes our heritage, closer examination reveals competing definitions at work between different pieces of legislation and within the professional groups which control this area. This leads to a confusion which feeds off the psychological uncertainty of the Australian identity. As Australians approach the year 2000 it may well be appropriate when considering our built environment to ask in earnest, 'heritage value: what's in a name'?

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