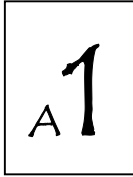


APPENDICES



APPENDIX 1: AVEBURY

A1.1 World Heritage

Avebury was added to the World Heritage list in 1986 as a component of the more comprehensive listing of ‘Stonehenge, Avebury and Associated Sites’. The associated sites included in the nomination were The Sanctuary, Overton Hill, Silbury Hill, West Kennet Avenue, West Kennet Long Barrow, Windmill Hill and Woodhenge (see Historic Buildings and Monuments Commission 1985 for a full description of the monuments). Stonehenge and Avebury are considered to be the two most important prehistoric monuments in Britain, and their cultural significance at a worldwide scale acknowledges the status of the grouping as one the most important Neolithic complexes in Western Europe (but see Evans et al. 1994: 505 for a critique of the inclusivity of the WH listing).

The nomination document included the following justification for inclusion:

Stonehenge and Avebury are the two most important and characteristic prehistoric monuments in Britain. They represent the Henge Monument *par excellence*, as the largest, most evolved and best-preserved prehistoric temples of a type unique to Britain. Together with the associated sites and monuments they provide a landscape without parallel in Britain or elsewhere and provide an unrivalled demonstration of human achievement in prehistoric times (Historic Buildings and Monuments Commission 1985: 9).

The ICOMOS assessment of the nomination recommended that they be inscribed on the World Heritage list for the following three cultural criteria:

- (i) represent a masterpiece of human creative genius
- (ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in monumental arts or town planning and landscape design
- (iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilisation which is living or has disappeared.

The nomination document makes no reference to the additional layers of history, nor to the presence of a vibrant local community in the village of Avebury, or to contemporary attachments to the places as sites of ritual and magical significance. The ICOMOS assessment acknowledges that at Stonehenge:

The old theory which stated that the site was a sanctuary for worship of the sun, though not the subject of unanimous agreement among prehistorians, is nevertheless illustrated by the yearly *Midsummer Day* ceremony during which there is a folkloric procession of bards and druids at Stonehenge. (ICOMOS 1986: 2)

A1.2 Heritage Management

As well as the six principal monuments, which are Guardianship sites co-managed by the National Trust and English Heritage,¹²⁹ the World Heritage Site includes around 330 archaeological sites. Another 67 areas, including 161 individual sites are protected as Scheduled Monuments (SMs). SMs are declared under the *Ancient Monuments and Archaeological Areas Act* 1979. Any works to SMs require a permit from English Heritage. In terms of the built environment, the WHS includes the settlement areas of Avebury Village (including Avebury Trusloe), West Kennett and Beckhampton. The three areas contain 75 Listed Buildings, designated by the Department of Culture, Media and Sport. Works to these must be authorised by a consent issued by the local planning authority. Avebury Village and West Kennett are both identified conservation areas, defined as areas of special, local or regional architectural or historic interest and character, that are managed by the local planning authority.¹³⁰ The historical built heritage is given attention in the overall management plans for the area. However, heritage management priority is given to the complex of

¹²⁹ Guardianship is delegated under the *Ancient Monuments and Archaeological Areas Act* 1979. The procedure was introduced in 1882 under the then *Ancient Monuments Protection Act*. The Avebury monuments were first given Guardianship status in 1944 (English Heritage 1998: 34).

¹³⁰ See Thackray (1999) for a general discussion of conservation planning priorities relating to the British landscape, which among other agencies reviews various projects of the National Trust. For a history of English heritage policy relating to monument-listing see C. Evans (1994). Evans discusses the authentication of value through professional, legitimated assessments of heritage that ignore folkloric associations, such as place names arising from local lore. 'Such arcane "local" knowledge' does not figure within state-defined criteria of monumentality. It is the physical survival and not the associative place-value of sites that have determined their protection' (1994: 5).

Neolithic monuments (see English Heritage 1998; ICOMOS UK 1995; National Trust 1997).

In addition, the WHS encompasses areas that have been identified for their natural values, although these are not deemed to contribute to its World Heritage listing. They do, however, have significance for the many people who are attracted to the area for its natural attributes.¹³¹ Silbury Hill, for example, is a Site of Special Scientific Interest (SSSI) for its botanical values. SSSIs are designated by English Nature under the provisions of the 1981 *Wildlife and Conservation Act*. Overton and Fyfield downs are distinguished as a National Nature Reserve (a listing giving the highest protection for natural sites in Britain) and the area of the WHS is included in the North Wessex Downs Area of Natural Beauty. This is designated through the Countryside Commission under the *National Parks and Access to the Countryside Act* 1949. It encompasses a range of significant habitats – including wetlands, permanent pasture, downlands and sarsens – which sustain nationally and internationally important species (English Heritage 1998: 12). Consequently both English Nature and the Countryside Commission have an interest in the statutory management of the area.

Avebury World Heritage Site Management Plan

Between September 1996 and August 1998 a WHS management plan was compiled. This superseded a previous document, the 1992 English Heritage Management Statement for the Avebury World Heritage Site. The intent is that the plan be complementary to relevant local statutory plans, such as the Kennet District Council 1992 Avebury Local Plan, the 1997 Kennet District Plan and the National Trust's 1997 Estate Management Plan (discussed below). In addition, it aims to seek a balance between the factors previously identified in the National Trust Plan: conservation, public access and the interests of those who live and work in the area. The preparation of the WHS Management Plan was funded by English Heritage and facilitated by a working party 'in consultation with local people and all those with an interest in the management of the area' (English Heritage 1998: 7). The plan recognises that the Avebury area is a 'dynamic living landscape' and that the

¹³¹ See Frake (1996a: 103) for a brief overview of the creation of the 'discourse of the countryside'.

preservation of the archaeological features within that landscape needs to respect the interests of local owners, farmers and residents (ibid: 18).

World Heritage listing in Britain does not attract any additional legislative protection. However the British Government's Planning Policy Guidance Note 15 'Planning and the Historic Environment' cites World Heritage listing as a key material factor for consideration by local authorities in the planning decision-making process.

One of the features of the WHS plan is that it engages with a formal assessment of cultural significance, recognising that it is at the same time the most important and the most subjective element of the document. It further acknowledges that the value judgements so entailed 'reflect on the relationship between the past and present, rather than any intrinsic value that the monuments may have had to their builders. The values so defined are: archaeological, landscape and conservation, social, economic, research and educational' (ibid: 23).

The management of the WHS is assisted by a Working Party, convened in 1989 to prepare the management strategy for the WHS. Membership includes representatives of those bodies who have a statutory function with the WHS (local and district councils, English Heritage, National Trust etc.). This group works with two advisory committees or subgroups: the AAHRG – the Avebury Archaeological and Historical Research Group (ibid: 36; see also AAHRG 2001); and the TVM – the Traffic and Visitor Management Group.

Members of the AAHRG were instrumental in the preparation of the Archaeological Research Agenda for the WHS (AAHRG 2001). While there is no explicit acknowledgment of the relationship between research and the local community, it is a stated objective to 'Publish and disseminate existing information and ongoing research results to the land managers, the public and the archaeological community' (Chadburn & Pomeroy-Kellinger 2001: 3). Included in the Agenda's objectives is a commitment to support research into all periods of the WHS, although the latest period of interest listed is Later Saxon and Medieval (AD 700–1500). This suggests that there is

minimal research interest in the more recent historical period, other than the indication that a future section for research interest may be the impact of 20th-century interventions in the WHS (ibid: 4).

The majority of research to date has concentrated on understanding the origins and function of the Neolithic monuments. There is a new emphasis on understanding how the monuments relate 'to each other in time and space' and to contemporary and later communities (see Pollard & Reynolds 2002; Watson 2001). However, this appears to reflect the same disinterest in more recent events as the archaeological research. One result is that research has privileged the monumental aspects of the area over the mundane. Another is that there has been minimal research that seeks to assess the relationship between the present Avebury community and their attachments to their environment.

In terms of management engagement with sacred attachments, it is the AAHRG Archaeological Research Agenda that makes the clearest reference to the ongoing role of ritual and ceremony on the site:

For only a third of its recent history [the last 6000 years] did the primary ritual and ceremonial use of the monuments dominate the area. In the early centuries after this time memory and folklore may have perpetuated some of the original meanings, but for the majority of the period only the tangible, and increasingly denuded, physical remains have stood as a reminder of previous activities.

For most of this time the meaning of the monuments has therefore been obscure and in each period an understanding of what they meant, a reinterpretation of their meaning, or an ascription of meaning to them will have taken place. These will have varied ... [to include] the ascription to them of associations with the spiritual which may be quite different to their primary associations. (Cleal & Allen 2001: 57)

The National Trust Management Plan (1997: 15) comments that the Avebury WHS 'is also a "cultural landscape" preserving a unique record of past human activities and values, and playing an active role in the lives of all who live, work or visit it today. From an archaeological and historical perspective, change is the one enduring characteristic of the landscape and this will continue to be the case'. However, the Avebury WHS is *not* listed as a World Heritage cultural landscape: 'If Avebury were

to be seeking its inscription today, it may well be classed as an outstanding example of a cultural landscape' (English Heritage 1998: 24). It is likely, however, that this landscape designation would be based on the Neolithic landscape and not on a broader understanding of the wider range of historic or contemporary attachments. In terms of World Heritage, the Avebury WHS landscape would no doubt be defined as a relic or fossilised landscape, even though 'it is still alive, evolving and continues to play an important role in contemporary life in terms of its economic and recreational value' (English Heritage 1998: 39).¹³² This statement paradoxically negates the definition of the landscape as either relic or fossilised.

National Trust Avebury Management Plan

The National Trust owns and manages about a third of the WHS, guided by the 1997 National Trust Avebury Management Plan (National Trust 1997), which was drafted in 1995–1996 and at the time of writing was under review. The objectives and proposals of this plan are specifically directed at Trust owned and managed property, and therefore not the more comprehensive landscape of the WHS. However, as the National Trust is a major landowner in the village, it has relevance to issues that involve the community. The plan states: 'Many of the priorities, however, have to be determined by the Trust's own obligations and purposes' (National Trust 1997). There is room for potential conflict arising from the Trust's definition of the property under management as 'an archaeological estate'.

On the one hand, the estate is comprised of landholdings that have been primarily assessed for their archaeological significance or interest, or 'for its relationship to the setting or management of Neolithic and later monuments'. On the other hand, there is acknowledgment that the 'remains of more recent date, the architecture and vernacular building styles of all periods and communities of the village and hamlets are all now valued in their own right, alongside the Neolithic monuments of world renown' and also that 'more democratic attitudes [than previous years] recognise the rights of

¹³² See Fairclough (1999a & 1999b) for landscape assessments and the identification of legislative constraints within the UK that serve to retain a distance between natural and cultural heritage issues and mitigate any realistic landscape approach and holistic landscape protection.

communities whose lives are spent in the shadow of the prehistoric monuments' (ibid).

Arguably the intent to be more inclusive exists, but it does not sit easily:

However, it bears repetition that the primary reason for each of the Trust's acquisitions has been the preservation of the integrity of the monuments ... it is unlikely that the National Trust would have purchased any of the elements – historic buildings, even a much built-upon Manor devoid of contents, downland landscape given over largely to arable use or former industrial, commercial or agricultural buildings – without the significance of the archaeological context. (ibid: 1–2)

The majority of the farmland owned by the National Trust is under lease as full agricultural tenancies as arable land. The Trust Management Plan (1997: 3) carefully notes that 'any proposals for alteration to the landscape are likely to be on a step-by-step basis and may need to be implemented over one or two generations'. The 'Preservation of Archaeological and Historic Features: Objective A' includes the intent 'to halt the degradation of the prehistoric field systems and other buried sites currently under arable cropping' with a defined strategy (A.8) 'To restore to a stable regime of grassland management of archaeological features at present subjected to ploughing or other avoidable erosion' (ibid: 9–10). This is echoed in similar strategies contained within the later English Heritage WHS plan, which also identify the enhancement of nature conservation values incumbent in expanding the grassland areas (see English Heritage 1998: 84–85, 91). The objective of changing arable land to grassland, and protecting the environment, more particularly the natural environment, is an integral component of the government Countryside Stewardship Scheme. The scheme offers farmers financial incentives to alter their farming methods. In Wiltshire, payments are only available to farmers within the Avebury World Heritage Site.

'Objective E' (National Trust 1997: 20), expresses a commitment to the historical built features within the village, with the intent to enhance the 'distinctive character of the village scene and traditional style and materials of building within Avebury High Street' and to recognise 'relationships with the monuments ... and with the

landscape'. The objective further states that: 'Uses should reflect real needs but should not be forced unhappily into unsuitable buildings'.

Under 'Access and Visitors' (ibid: 25) an 'ideal', two-fold objective is identified. It seeks to provide appropriate access to the monuments that does not compromise conservation and that will provide information without resorting to exploitation of the property. The stated objectives do not appear to consider the impact on the villagers. However, the plan recognises that the management of visitors is an issue for the quality of life of the village residents. Objective H seeks to prevent 'unacceptable pressures on the local communities' (ibid: 28–29). Although the listed strategies do not suggest any community involvement in achieving this, Strategy H.10 is of interest:

Continue to attempt to accommodate 'new religious' and other visitors drawn to Avebury at Solstice and other calendar events, on the understanding that the National Trust does not discriminate on the basis of 'why people come' but is concerned with how they respect the sites and other users.

However, a potential misunderstanding of the nature of these attachments is indicated by Management Strategy L.6 which seeks to encourage 'pagan, druid and other religious groups to avoid concentrating their ceremonies at vulnerable *'honeypot'* sites like Avebury' (italics added). Similar sentiments have been echoed by a (then) National Trust Property Manager of the site: 'Free and unrestricted access to monuments leaves them vulnerable: irrelevant attractions – whether of a 1980s theme park (see discussion Chapter 5), political demonstrations in the henge, or pagan occupations of West Kennet long barrow – have no place and create pressure or conflicts which imperil both conservation and the principle of access for everyone' (Gingell 1996: 507).

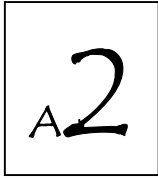
The final section discussing management objectives is dedicated to 'The Local Community' (National Trust 1997: 45–47). In terms of stakeholders, the comment is made that 'as far as the wider world is concerned, it was archaeologists who 'discovered' Avebury, in the footsteps of the early antiquaries'. The notion so introduced is that archaeologists are privileged participants in matters to do with Avebury. The report identifies three 'communities': the village residents; those drawn

from the surrounding area for whom Avebury provides a focus; and the combination of the nation and humankind.

The Trust acknowledges two distinct groups with a relationship with Avebury: residents (who have an additional voice through the parish and local councils) and visitors (including local visitors) with the understanding that no pressure group should be granted any greater influence than 'the very large numbers of regular visitors with a real interest in the place'.

The discussion culminates in Objective N:

Recognising the implications for local people of the Trust's decisions in management of the sites, to maintain and develop the existing close links with the community through the Parish Council and through working parties and other contacts with local government bodies. To keep local people regularly informed about our activities, to be aware of problems and conflicts as they arise, and to canvas opinion about future proposals from both this audience and our visitors.



APPENDIX 2: MAGNETIC ISLAND Great Barrier Reef World Heritage Area

A2.1 World Heritage Listing

Magnetic Island is not in itself a World Heritage property. It is, however, included within the boundaries of the 1981 listing of the broader Great Barrier Reef World Heritage Area. Although the listing is predicated on the reef's significant and unique marine biological values, the nominated boundaries include the land area of the associated islands. While there are implications for management of cultural heritage values in terms of obligations under the World Heritage Convention and domestic legislation (see below), it would be incorrect to assume on the basis of the existing World Heritage listing that any of the individual islands have heritage (either natural or cultural) values that are of World Heritage significance.

The World Heritage listing of the Great Barrier Reef has been reviewed in depth in both Lucas et al. (1997) and Greer et al. (2000). At the time the nomination document was compiled – 1981 – cultural heritage management was in a more formative stage, both nationally and internationally. It is perhaps not surprising, therefore, that the discussion of cultural heritage within the nomination document appears limited by contemporary standards. Emphasis was placed on resource-based, use or economic relationships between people (both indigenous and non-indigenous) and the reef, and to some extent this has continued to direct cultural heritage approaches to the reef today.

The nomination document (GBRMPA 1981: 11), includes under the heading 'justification for inclusion in the World Heritage list':

- a) cultural property: the area of this nomination contains many middens and other archaeological sites of Aboriginal or Torres Strait Islander origin. There are over 30 historic shipwrecks in the area, and on the islands there are ruins and operating lighthouses which are of cultural and historical significance.

Section b) 'natural property', subsumes this single paragraph within a much lengthier description of its biological values, which provide justification for the Great Barrier Reef meeting four listing criteria, all natural. The conclusion is that 'the area nominated is of outstanding universal value on the basis of its natural heritage' (ibid: 13).

The appendices to the nomination expand slightly on the cultural heritage of the reef but similarly restrict the discussion to Aboriginal and Torres Strait Islander sites (including rock art), shipwrecks and lighthouses. The cultural history of the islands makes a reference to the mining of guano or phosphate, and the operation of beche de mer and trochus fisheries, concluding that the Aboriginal communities currently have access to the same marine and near shore resources as had their ancestors for the preceding several thousand years (ibid: xvii).

Any contributions that the limited statements on cultural heritage values may have made in the World Heritage assessment process were further minimised by an established process that placed the review solely in the hands of the IUCN and natural scientists. The Technical Review Report (IUCN 1981) makes no mention of any potential cultural values (even in recommendations included with the review) and confirms that the Great Barrier Reef meets a range of natural heritage criteria.

There have been major developments in the past 20 years in our understanding of cultural heritage (see Chapter 2), one of which would undoubtedly result in a different and more inclusive assessment of the Great Barrier Reef as a World Heritage property if it were to be nominated today: namely, the introduction of cultural landscape approaches. The 1992 adoption of 'cultural landscapes' as a category of World Heritage listing has led to an interest in renominating the Great Barrier Reef to reflect this development. A recommendation that the Great Barrier Reef be renominated as a cultural landscape is formally made in Lucas et al. (1997: Recommendation 12, xii, 77), and is the only recommendation in that report relevant to cultural heritage:

That the Great Barrier Reef Marine Park Authority initiate negotiations with Aboriginal and Torres Strait Islander peoples concerning a project to investigate the cultural heritage attributes of the Great Barrier Reef World Heritage Area and its possible renomination as a cultural landscape.

This is not unrealistic in consideration of the successful renomination of Uluru Kata Tjuta National Park in 1994 as cultural landscape of world heritage value.¹³³ However, it is argued that such a step would require a more comprehensive understanding of the cultural heritage of the reef than is currently held. It would also necessitate a more holistic approach to the heritage of the reef, to move away from the assumption that cultural heritage issues in relation to the reef are related only to indigenous people. This focus on indigenous cultural heritage represents a long existing constraint on the, albeit limited, investigation and understanding of the cultural heritage of the reef. The result is that non-indigenous values are often ignored, as is the relationship between indigenous and non-indigenous people. This is not restricted to the Great Barrier Reef. A Commonwealth Government report notes that Australian World Heritage listings in general have tended to emphasise natural values and indigenous rather than non-indigenous cultural values (House of Representatives 1996: 83).

A2.2 Heritage Management

The natural heritage values of the Great Barrier Reef are well documented, and supported by a mass of primarily scientific literature, arising from decades of research on the Reef's biological values. This has been encapsulated in the Lucas et al. (1997) report that describes the 'outstanding universal value' of the natural attributes of the Great Barrier Reef World Heritage Area. The more recent Greer et al. report (2000) was commissioned in recognition of the lack of knowledge of the cultural heritage of the Reef: the report consequently provides recommendations for a program of research to investigate the cultural heritage values of the Marine Park and World Heritage Area.

¹³³ This is currently Australia's only world heritage property in that category. Kakadu National Park and the Willandra Lakes region are both inscribed as 'mixed properties', indicating they have both natural and cultural values.

Legislation & Heritage Listings

The heritage management of Magnetic Island suffers from the same legislative complexity that affects the entire Great Barrier Reef Marine Park / World Heritage Area (see Greer et al. 2000 for a review of legislative and management structures affecting cultural heritage in the GBR; also see Lucas et al. 1997, and Queensland Department of Environment and Heritage 1992). The Great Barrier Reef Marine Park and World Heritage Area is managed by the Great Barrier Reef Marine Park Authority (GBRMPA), which administers the *Great Barrier Reef Marine Park Act 1975*. The Act and the *Great Barrier Reef Marine Park Regulations 1983 (amendment 2000 No. 5)* provide for the establishment, control, care and development of the marine park in the Great Barrier Reef Region, where the region is also defined in the Act.

All of Australia's World Heritage properties are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).¹³⁴ This relatively new Act is seen to improve the level of protection and management offered to World Heritage Properties by introducing up-front protection (for further details see www.ea.gov.au/heritage/awh/worldheritage/legislation.html.)

The EPBC Act has received criticism: it is evident that it will protect the World Heritage values of a World Heritage Property (that is, those values that are of outstanding universal importance); however, it is not immediately clear what protection it will provide to cultural heritage values if they are *not* considered to contribute to the World Heritage values of that Property. Further, it exhibits an obvious bias towards the protection of natural values. Concern has been expressed by Australia ICOMOS and other cultural heritage groups, who opposed the legislation on the grounds that it relegated cultural values in heritage sites to minor significance, implying that cultural heritage was no more than a sub-set of natural heritage (see, for example, Logan 2000).

¹³⁴ This act came into force on 16 July 2000 and replaced a number of pieces of Commonwealth legislation, including the *World Heritage Properties Conservation Act of 1983* which was internationally the first piece of legislation specifically intended to protect properties of World Heritage value.

In terms of community issues, Schedule 5 of the EPBC Act 1999 Regulations (Australian World Heritage management principles) provides some relevant guidelines, notably 1.02–1.04, which indicate the need to identify and include the community in the ongoing management of a World Heritage property (an initiative that reflects similar intent in the UNESCO World Heritage Operational Guidelines):

- 1.02 The management should provide for public consultation on decisions and actions that may have a significant impact on the property.
- 1.03 The management should make special provision, if appropriate, for the involvement in managing the property of people who:
 - (a) have a particular interest in the property; and
 - (b) may be affected by the management of the property.
- 1.04 The management should provide for continuing community and technical input in managing the property.

The Great Barrier Reef, and Magnetic Island individually, are both listed as places on the Commonwealth Register of the National Estate, a statutory list established under the *Australian Heritage Commission Act (1975)*.¹³⁵ Although the Great Barrier Reef is classed as a 'natural' place, the citation notes that the Great Barrier Reef province is also of cultural significance, for its shipwrecks, lighthouses, historical associations with early exploration and survey expeditions, and for its indigenous values. The latter are singled out as being of National Significance in their own right. Magnetic Island (in part) is similarly listed in the 'natural' class, but includes reference to the World War II fort complex and indigenous values. The Fort complex is registered as a historic place, and there are two additional registrations referring to Indigenous Places (one at Nelly Bay, and one at an undesignated place on the island). The Nelly Bay site is noted as 'destroyed', as is Our Island Home, the only other historic registered place on the island (see <http://www.ahc.gov.au>).

Under recent amendments to the EPBC Act, a National Heritage List has been established to list places of outstanding heritage significance to Australia. These

¹³⁵ The Australian Heritage Commission Act established the Australian Heritage Commission (AHC) and provides for protection of cultural and natural sites of significance to Australians. The AHC maintains the Register of the National Estate (RNE), which lists significant sites of the natural and cultural environments. Recent Commonwealth legislation changes (January 2004) have replaced the Commission with a new independent advisory body, the Australian Heritage Council.

places will be identified and assessed as having 'national' heritage values, that following the wording of the World Heritage Convention, will meet a threshold of 'outstanding' significance (see <http://www.ea.gov.au/heritage/lists/national.html>). All Australian World Heritage listed properties will automatically be included on this list.

In addition there are two pieces of Commonwealth legislation that are more specifically related to Indigenous issues:

- the *Aboriginal and Torres Strait Islander Heritage Protection Act (1984)*, which addresses Aboriginal cultural property in a wide sense. Cultural property includes any places, objects and folklore that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'
- the *Native Title Act 1993*, which provides for the establishment of the National Native Title Tribunal and sets out processes for the determination of native title rights and dealings in native title land. (The Wulgurukaba people currently have applications lodged for two Native Title claims covering the area of Townsville, and including Magnetic Island. Native Title Tribunal Refs QC98/30 and QC98/31).

The heritage values of Magnetic Island itself are more closely managed under several pieces of Queensland state legislation. One of the most relevant is the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*¹³⁶ which has application on the Great Barrier Reef islands under Queensland control.

Generally historical places, objects and areas are protected under the *Queensland Heritage Act (1992)*, although in some circumstances (such as historical archaeological sites) they can also be included under the Cultural Record Act.

¹³⁶ The *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987* protects Indigenous sites, places, areas and objects in Queensland. Although historical sites can also be included under the Cultural Record Act, generally such places, objects and areas are protected under the *Queensland Heritage Act 1975*. Management of the Cultural Record Act is the responsibility of the Cultural Heritage Unit within the Environmental Protection Agency (EPA). This act is under review at the time of writing and is likely to be replaced.

Although the Act is most commonly applied to historical sites, it can have application to both non-indigenous and indigenous places.¹³⁷ The act establishes the Queensland Heritage Register. The Fort Complex on Magnetic Island is the only island place included on this register.

The Queensland *Integrated Planning Act 1997* has particular implications for Magnetic Island, as an area that is administered by local government. Schedule 1, Part 1 of the Integrated Planning Act identifies that a 'core matter' that can be addressed under a local government planning scheme is:

Areas or places of cultural heritage significance (such as areas or places of indigenous cultural significance, or aesthetic, architectural, historical, scientific, social or technological significance, to the present generation or past or future generations).

GBRMPA

Greer et al. (2000) provide an extensive review of existing management practices in the reef, and their application to the identification and management of cultural heritage values. Several management proposals prepared by GBRMPA (e.g. GBRMPA 1997) clearly state the need to protect terrestrial and marine indigenous and non-indigenous ethnographic, historical and archaeological places, including 'discrete sites and extensive areas of cultural value', as well as shipwrecks (GBRMPA 1997: 16). The Authority's '25 Year Strategic Plan' (GBRMPA 1994) provides strategic guidance and goals for the future management and development of both the GBRMP and WHA, acknowledging the need to consider cultural heritage issues in the day-to-day management of the area. It was produced with considerable input from stakeholders, although the inclusivity of the stakeholder group identified through existing GBRMPA processes has been critiqued (see Greer et al. 2000). Greer et al. (2000) note that efforts to date have concentrated on stakeholders with an interest in natural values, and that:

¹³⁷ Management of the Heritage Act is the responsibility of the Cultural Heritage Unit within the Environmental Protection Agency (EPA). The EPA maintains the Queensland Heritage Register, a list of places (buildings, archaeological sites, shipwrecks and so on) deemed to be of State cultural heritage significance, which is established under the Heritage Act.

... the main stakeholders who have been recognised to have an interest arising out of cultural values have been indigenous people, but arguably even this interest has been closely associated with impacts on natural values and associated activities – dugong hunting and fishing rights are obvious examples.

The Strategic Plan reinforces the importance of particular aspects of cultural heritage within the reef as it 'recognises the Area's cultural and historical significance: the long-term presence of Aboriginals and Torres Strait Islanders and the presence of many archaeological sites and shipwrecks' (GBRMPA 1994: 1). Also, one of the 'principles of common agreement' in the plan is listed as: 'recognition and maintenance of a wide range of values (including social, cultural, economic, aesthetic, and ecological values) in making balanced resource allocation decisions' (ibid: 7). The strategic plan clearly acknowledges that GBRMPA has responsibilities in relation to cultural heritage values within the World Heritage Area, even if there is a limited understanding of the nature of those values. It further acknowledges a responsibility to follow the Australia ICOMOS *Burra Charter* guidelines.

GBRMPA's principle instruments of management revolve around a tripartite system incorporating zoning plans, management plans and permitting processes, supported by the establishment of a number of advisory committees. In addition, a major rezoning exercise that will come into effect in mid-2004, the Great Barrier Reef Representative Areas Program (RAP), will provide guidance in relation to zoning.

The lack of procedural and policy guidelines for investigating cultural heritage values in the permitting process has been discussed in Greer et al. (2000). This includes a review of several controversial decisions that led to the lodging of objections. In one case, not only did the applicants fail to negotiate with the traditional owners and other relevant community groups, but the cultural research undertaken by GBRMPA did not address community interests and values. It was evident that there was a limited approach to and understanding of the potential cultural and heritage values of 'non-traditional' people. The extent of community attachment and feeling was subsequently clearly established through ethnographic research. A second permitting issue led to the preparation of an anthropological report that incorporates a definition of culture, in the context of permitting considerations, that includes the intellectual, political, economic,

legal, religious and social tradition of a people. That is, that 'cultural and heritage values' in relation to a place refer to the whole of a people's lived relationship with that place (Heijm 1998: 4).

The main avenue of ongoing communication between GBRMPA and the community is through a series of Local Management Advisory Committees (LMACs). The membership of these committees is based on particular industries and/or interest groups. The various Committees are geographically based; the Townsville committee has the most relevance to Magnetic Island. However, at present, representation on these committees specifically in relation to cultural heritage is limited and not explicit.

Although intended to be inclusive of Aboriginal groups and interests, the LMACs are more representative of GBRMPA's history of successful consultation with non-indigenous stakeholder groups associated with the GBRMP. The constraint, reflected in the membership of the LMACs, is that these contacts have generally been couched in terms of commercial use, tourism and other 'recreational user' studies, or socio-economic impact assessments. Fishing interests, for example, generally have strong representation. The deeper associations or attachments of both indigenous and non-indigenous communities and their cultural heritage values generally have not been explored in great depth and without a review of the role of the LMACs it is unlikely that they will contribute to an understanding of such values (see Harrington 2000).

Magnetic Island National Park

As over half the island area is contained within a designated national park, there are implications for the management of cultural heritage values. The National Park includes an area of nearly 3000 hectares, and is managed under the provisions of the *Queensland Nature Conservation Act 1992*, the underlying principle of which is to preserve the natural condition of parks. Queensland's parks are managed by the Queensland Parks and Wildlife Service (QPWS), a unit within the Queensland Environmental Protection Agency (EPA). Although many parks within the state have had management plans prepared, the Magnetic Island National Park does not currently have such a plan, however, there is an individual management plan for Florence Bay

(Queensland Department of Environment and Heritage 1992). This has to some extent arisen as a result of the importance the community places on this particular bay (see, for example, Florence Bay Preservation Group 1982). At the time of preparing the Florence Bay management plan, a community attitude survey was undertaken. A total of 80% of respondents indicated there was something special about Florence Bay. The three most favoured experiences were the bay's peacefulness, the enjoyment of nature, and family togetherness (ibid: 12).

The Florence Bay Management Plan (ibid: 1) records that:

The Bay contains Aboriginal sites, including a large midden and has spiritual, cultural and historic value for the Aboriginal community. Other historic values are associated with Scout use of the Bay, especially with their chapel.

The plan provides a short comment on the history of the scout camp, however, it makes little comment on contemporary attachment to the bay arising from this activity. It is clear from conversations with former scouts who have associations with Florence Bay that they place far more comprehensive cultural values on the bay than simply its historic significance, and that similar values are felt strongly by many other island residents. While the Aboriginal community is noted to have 'attachments beyond the scientific interest' of sites in the Bay, non-indigenous heritage is almost totally relegated to historic interest. The sheoaks planted in the dune system by the scouts in the 1950s, under the guidance of 'Beaver' Masters, which are an integral part of the 'scouting' landscape, are given high priority for protection, not because of their contribution to the 'cultural' landscape, but because 'they form an important part of the recreational values of the bay (shade, rustling leaves etc.), are typical of such dune habitats and are important in dune consolidation' (ibid: 10).

Townsville City Council Magnetic Island Management Plan

The Townsville City Council adopted the Magnetic Island Management Plan in October 1990 (Gutteridge et al. 1990), with the aim of managing the conflicts inherent in balancing the needs of permanent residents, the desire of the community to protect the character of the island, protection of the natural environment, and the pressures

from increasing residential and tourism activity. The plan recognised that an assessment of these conflicts required an understanding of the connection between the terrestrial and surrounding marine environments.

The plan includes marine conservation as a management objective: the evaluation criteria are predicated on natural/scientific values and do not address those values that may be attributed by the local community. Similarly, the Land Conservation Objective is determined to be the need 'to conserve the existing natural state of the majority of the island, giving particular emphasis to plant communities with known biological significance and to significant landscape areas'. Although these objectives are commendable, they rely solely on scientifically determined values and ignore the culturally derived values placed on natural areas and landscapes by communities.

However, the plan includes 'community consultation both through public representations and an attitude survey' (ibid: 1–2). The objectives of the plan do not make any specific mention of heritage, although objectives (a), (d) and (f) can be considered to have relevance:

- a) Assess the potential of the Island for biological conservation, and for residential, tourist, recreational and commercial use.
- d) Establish social, economic and environmental goals in respect of the Island's development
- f) Collate relevant information on Marine Park and adjacent areas around Magnetic Island in terms of resources and users, perceptions and quality of experience.

The plan incorporated a landscape appreciation report, to assess the 'visual quality' of the island (ibid: 3–4, 10). This assessment was based on the assessment of a place (area unit) against predetermined criteria, predominantly relating to the presence of natural attributes: it did not engage in community consultation. However, there is later acknowledgment in relation to aesthetics that 'the attitude survey indicated the natural unspoilt scenery was the most enjoyable aspect of visits to the island', and this was seen to emphasise 'the importance of the Island's rocky landscape' (ibid: 103). The attitudes survey – 'Public Representations and Attitudes' – undertaken as part of the

project, was clearly not designed to investigate cultural heritage values or attachment to place (the scope of the survey is outlined in Gutteridge et al. 1990, Appendix 9: 1).

The sites of historic significance and interest on the island are identified in Appendix 6 to the report (Gibson-Wilde 1990). The plan does show an attempt to address a more comprehensive range of heritage places in that it includes places of historical interest, trees and plantings (both introduced and indigenous), and tracks and trails. In conclusion, the plan acknowledges that future management of the Island includes the need to:

- identify and protect the wide range of terrestrial and marine habitats
- protect the marine resources surrounding the island
- identify and investigate which historic buildings and/or sites should be protected
- protect significant Aboriginal cultural sites as appropriate
- protect important historic shipwrecks, as required by legislation
- encourage a community atmosphere on the island (a social goal)
- protect the landscape character from intrusion by development (environmental goal)
- maintain the unspoilt visual appearance of the island (environmental goal)
(Gutteridge et al. 1990: 76, 95)

Magnetic Island Heritage Study

A local government heritage study of the island has been recently prepared and released (Jensen et al. 2002). The Townsville City Council undertook the study as part of its Planning Scheme, and hence it concentrated on the settled (built) areas of the island. Although not uncommon with such local-government initiated studies, the brief did not include the indigenous heritage of the island.¹³⁸

This particular study, while consistent with established approaches to such investigations, is of interest in light of the discussion in Chapter 2, which identifies the general failure in heritage approaches to address contemporary attachment to place (otherwise known as 'social value'), even when the intent to investigate such

¹³⁸ The brief for such local government heritage studies does not usually provide for an assessment of indigenous places, as these are normally assessed separately. While this is clearly expeditious in terms of professional expertise, the vagaries of funding and different legislative requirements can often lead to a lapse in time between studies, or failure of a holistic study ever being attempted, and little attention to combining the results other than in a planning instrument.

attachments has been explicit. The following comments relate specifically to this concern, and are not intended as a critique of the report's value as a record of other aspects of the heritage of Magnetic Island: for example, it provides a comprehensive overview of the history and architectural significance of many of the island's structures.

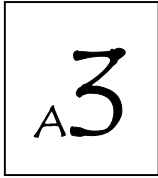
The report lists important reasons for protecting cultural heritage. The first two are (Jensen et al. 2002: 2):

- places identified by the present community as important are intrinsically linked to future community values
- places identified have a range of cultural values from historic, social, scientific and aesthetic which contribute to the understanding of the area.

The assessment of significance for the report was guided by 'the criteria of established codes – specifically the ICOMOS *Burra Charter* and associated guidelines and the criteria encompassed by the *Queensland Heritage Act 1992* and the Townsville Local Heritage Database' (ibid: 4). All three lists of criteria include a reference to a special association to the community for social, spiritual and cultural reasons.

The final report indicates that '98 places of cultural heritage significance to the Townsville region' (ibid: 15) were assessed. It is clear from the schedule and accompanying citations that by 'place' the consultants are more specifically concerned with built structures: this is consistent with the statement that 'the identification of places of value has been confined to *places erected* prior to 1960' (ibid :4; italics added). The only non-structures included are a small number of parks, 'natural features' and streetscape plantings that have been listed as worthy of further investigation. Of the 98 'places' assessed, there are only two that are accredited a heritage significance that does not arise from historical associations or architectural merit: the RSL Hall (31 Hayles Ave, Arcadia; Property No. 249270) and the Magnetic Island Memorial Gardens (corner of Sooning and Kirk streets, Nelly Bay; Property No. 241480). In both instances significance is described as: 'special association with the Magnetic Island community for spiritual reasons'. There is no further exposition of the nature of these special associations.

The consultants were constrained by methodological considerations, including the understanding that as a *local government* study it was restricted to an assessment of areas of interest to the Townsville City Council. This immediately restricted the study area to the settled regions of the island and placed emphasis on the built environment. The result is that the Magnetic Island Heritage Study does not *comprehensively* identify places important to the present community – other than those deemed to have historical or architectural significance, where that significance is attached to a built structure. While some residents would no doubt identify buildings as places of heritage significance, it is unlikely that such sentiments are restricted to the structure's architectural or historical merits. Neither does the study identify 'places' with a comprehensive range of cultural values (although the original data sheets may well be more comprehensive). Such a restricted coverage of and attention to both place and community attachment (social value) is the general rule rather than the exception. Although a valuable document for certain aspects of the island's heritage, the final report cannot be considered as a record of what the community values as heritage on Magnetic Island, in the sense of heritage being those broad 'things' (including places) that members of the community desire to retain for future generations.



APPENDIX 3: NELLY BAY

The Environmental Impact Assessment Process

Under the guidelines of the *Administrative Procedures Under The Environment Protection (Impact Of Proposals) Act 1974* a number of impacts are required to be considered in relation to development proposals in Australia:

3.1.2 The Department, or the Minister, as the case may be, in making a determination under paragraph 3.1.1, must take into account at least:

- (a) whether, and to what extent, the proposed action may result in -
- (i) a substantial environmental effect on a community;
 - (ii) the transformation of a substantial area;
 - (iii) a substantial impact on the eco-systems of an area;
 - (iv) a significant diminution of the aesthetic, recreational, scientific or other environmental quality, or value, of an area;
 - (v) an adverse effect upon an area, or structure, that has an aesthetic, anthropologic, archaeological, architectural, cultural, historical, scientific or social significance or other special value for the present or future generations;
 - (vi) the endangering, or further endangering, of any species of fauna or flora;
 - (vii) important long-term effects on the environment;
 - (viii) the degradation of the quality of the environment;
 - (ix) the curtailing of the range of beneficial uses of the environment;
 - (x) the pollution of the environment;
 - (xi) environmental problems associated with the disposal of waste; or
 - (xii) increased demands on natural resources which are, or are likely to be, in short supply.

With the exception of Result (xii) the Nelly Bay Harbour development had the potential to reflect the full panoply of results. In recognition of this, a series of environmental reports were commissioned. Those associated with the pre-1990 stage of the development included:

- 1985 Draft Impact Assessment Study
- 1986 Impact Assessment Study
- 1988 Public Environment Report
- 1988 Public Environment Report (Further Information)

By the time of the 1994 proposal, it was decided that the environmental requirements of both the State and Commonwealth governments could be satisfied by the preparation of a joint environmental impact statement (EIS). Guidelines (or terms of reference) for the EIS were prepared by the responsible Commonwealth Authority, Environment Australia, taking into account the requirements of the relevant Acts and assessment procedures. Following a public consultation process, final guidelines were issued in February 1995. With respect to matters of relevance to the community, under Socioeconomic descriptions – among other demographic or geographic descriptors – the following information was to be recorded:

- Aboriginal anthropological characteristics (e.g. Traditional owners, traditional use of local resources, land claims, significant sites and preservation of any skeletal remains unearthed during construction of previous proposal)
- Heritage and archaeological values including World Heritage values
- Existing visual and landscape quality of the area.
(Department of the Premier et al. 1995: 184)

In terms of environmental impacts, reference was made to

- Long term effect on any area of cultural or archaeological significance to Aboriginal people and scenic, heritage and World Heritage values of the area
- Long term social effects/problems due to loss of natural beach front access
- Impact on island communities, in particular, residents of Nelly Bay including effects on employment, local economy and *values, aspirations and lifestyles*.
(Department of the Premier et al. 1995: 184; italics added)

I have included the above to illustrate there was potential under the Environmental Impact assessment process (at both incarnations of the development) to address cultural heritage issues that could have been defined as contemporary community attachments, or 'social value'. However, as I have discussed in Chapter 2, there has been a consistent failure of rigorous attention to or investigation of those aspects that might otherwise relate to attachment to place, and the relationship between place, identity and practice – even though the identification of such 'values' in the Australian context has been considered a component of contemporary cultural heritage philosophy since the adoption of the Australia ICOMOS Burra Charter in 1979. That there was a failure to address such matters in the Nelly Bay Harbour development EIS

should not, therefore, be construed as an isolated error: unfortunate as it may seem, it reflected common practice at the time.

In terms of monitoring environmental impacts, the guidelines to the EIS identify that safeguards should be put in place to protect 'Aboriginal sites and artefacts' and 'identified World Heritage Values' – no mention is made of monitoring or protecting more community-oriented cultural attachments or values placed on the bay by the local community (whether Aboriginal or non-Aboriginal). It is perhaps a moot point, as monitoring and safeguarding such values would be dependent on identifying them in the first place.

The second (post-1990) stage of the EIS process resulted in an additional three reports:

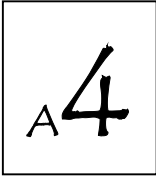
- 1995 Environmental Impact Statement (Draft) (Department of the Premier et al. 1995)
- 1998 Supplementary Environmental Impact Study (Department of State Development 1998)
- 1999 Environment Assessment Report (Environment Australia & the Queensland Environmental Protection Agency 1999)

The 1995 draft EIS section on cultural heritage restricted its discussion to archaeological reports that dealt with Aboriginal artefact material and to a short reference to the shipwreck of the *Presto*. The Cultural Heritage Assessment (Hatte 1995) included as an appendix to the draft EIS did, however, provide a discussion of social and heritage issues that were of concern to the Wulgurukaba, the Aboriginal community now recognised as the Traditional Owners of Magnetic Island. In its response to the supplementary EIS document, Environment Australia endorsed that 'Nelly Bay is an area of high significance to the local Aboriginal community ... the Aboriginal heritage of Nelly Bay is considered extremely important by the local Aboriginal community as one of their few remaining links with Magnetic Island following their removal from the island earlier this century'. Yet their follow-up recommendations made no mention of the lack of an anthropological report, rather re-asserting the archaeological value of the bay through

... the recommendation that a qualified archaeologist appointed by the QDEH and the Wulgurukaba Corporation, and an observer from the Corporation, be employed to monitor any excavations associated with the proposed development. Environment Australia also suggests that the Wulgurukaba corporation be immediately notified, and works suspended, should any human remains be uncovered. (Environment Australia 1998)

A similar response was forthcoming from the Queensland government (see Department of State Development 1998).

Opportunity for public comment was provided for both the draft and the supplementary EIS documents. Following these submissions, the Final EIS was released in 1999 as a definitive document: that is, there was no invitation for public comment before its adoption. On the basis of this authority, the necessary permits were obtained from both GBRMPA and the Queensland Parks and Wildlife Service, and works recommenced on the Nelly Bay Harbour Development in August 2000.



APPENDIX 4: AYUTTHAYA

A4.1 World Heritage Listing

The historic city of Ayutthaya, with all its remains, was added to the World Heritage List at the meeting of the World Heritage Committee held at Carthage, Tunisia, on 13 December 1991. The justification for inclusion in the nomination document included the following (Office of the National Environment Board, Thailand 1990):

The historic city of Ayutthaya with all its remains, is considered to be cultural property of outstanding universal value and is nominated to the World Heritage List under criteria (i), (ii), (iii), (iv), (v) and (vi) for the following reasons:

With respect to criterion (i), Ayutthaya represents a masterpiece of creative genius of perceptive selection of the location of a site to suit a complex scheme of site planing [sic] that capitalised the natural features of the typically Thai water-based settlement and culture to satisfy the demanding needs of the capital city to defend itself with the help of Nature against enemy's [sic] attacks and to be blessed with an infrastructure system that would ensure its prosperity in peace time ...

While the flood plains all around Ayutthaya helped repulsing invading armies, they also constituted its enviable 'Rice Bowl of Asia'. Ayutthaya's riverine setting provided gainful employment in other agricultural activities, also fishing, as well as providing a socio-economic infrastructure for communication, transportation, and trade with the provinces, and foreign countries. The benefits of crisscrossing the island city, although many of the historic canals have since been clogged ...

With respect to criterion (ii), the city plan of Ayutthaya exerted a decisive influence on Bangkok. In fact, Bangkok in its early years was Ayutthaya's resurrection in every respect, including the structural arrangements, even the names of places, the unique houses, boat houses, royal barges and boats, and life styles.

With respect to criterion (iii), the Historic City of Ayutthaya, and for what it was as a capital city, is distinctive and unique, and there is no historic city anywhere in Asia or any other parts of the world of its like.

With respect to criterion (iv) and (v), the monuments in Ayutthaya are unique and outstanding in architectural design of the region ...

With respect to criterion (vi), architecture, paintings, and art objects of Ayutthaya associated to the nominated area are unique in their style, design, craftsmanship, materials, integrity and rareness. They express ideas, beliefs, and creativity of Ayutthaya and of Thai people. They have also exerted influence in Cambodia and Laos.

Intangible cultural heritage associated to the nominated property continues to exist to the present. Language, literature, music, dancing, sports, cultural entertainment, manner and family relationship, cuisine, handicrafts, festivals, and ceremonies are still practiced today.

As can be seen, the nomination included assessment under all cultural criteria (i)-(vi), but the ICOMOS recommendation (1991), and the subsequent inclusion on the World Heritage list was on the basis of Criterion (iii) only, on the grounds that the 'site bears excellent witness to the period of development of a true national Thai art' (ICOMOS 1991). There is no assessment report held in the archives of the ICOMOS Secretariat in Paris to provide any explanation for restricting the listing to this criterion, and hence there is no discussion as to why the justification for listing offered in the nomination document ignored criterion (vi) and the other criteria.¹³⁹

It is incongruous to limit the listing to a criterion that attributes the significance of Ayutthaya to its earlier contribution to Thai art. Particularly as the final statement included in the nomination information quoted above could not be more apposite to the values echoed by the Ayutthaya community today. Although the reasons for dismissing the argument under criterion (vi) are not clear, the historical circumstances of assessment that would have directed such a position were not conducive to supporting values predicated on intangible heritage (see Chapter 2 and Titchen 1995).

A4.2 Heritage Management

Overview – Fine Arts Department

The philosophy of monument preservation in Thailand must consider the fact that our monuments are religious monuments and the local people continue to practise that religion. Therefore, preservation is done not only with a view to restore and conserve structures and history as with the monumental architecture

¹³⁹ Although post-1995 ICOMOS assessments of World Heritage nominations are accompanied by a formal assessment report, this appears to not be the case for earlier assessments, and the archives contain little more than the original nomination document and a copy of the recommendation(s) to UNESCO. The basis on which the recommendations were made at the time hence remains obscure.

in Rome and in Greece. It must also be satisfactory to the people who continue to respect and worship at the religious sites. (Musigakama 1989: 70)

The cultural heritage sites of Ayutthaya are primarily managed by the Fine Arts Department (FAD), Ministry of Education,¹⁴⁰ under the administration of the Office of Archaeology and Museums. The Fine Arts Department was established in 1911 as an umbrella organisation to manage Thai cultural heritage in the areas of archaeology, history, literature, drama, music, artistic works, archives and museums (FAD 2003).

Under various laws and guidelines the FAD is obliged to locate, identify, evaluate, manage and protect cultural resources so that they may be handed on to future generations unimpaired. Archaeological sites on both public and private land are protected by the *Act on Ancient Monuments, Antiques, Objects of Art, and National Museums 1961* (amended 1992) and protection is reinforced by relevant zoning plans under the *1975 City Planning Act*. In addition, cultural heritage identification and protection is influenced by a number of supplementary guidelines, including:

- National Cultural Policy Announcement of the Office of the Prime Minister to promote national pride and identity BE 2524 (1981)
- Announcement of the Office of the Prime Minister on Enforcement and Guidelines on Preservation Promotion and Development of Culture BE 2529 (1986)
- Criminal Laws deal with the report of individuals who find antiquities, objects of art, artefacts etc. to government officials
- Thai Architectural Conservation Charter 1984
- Bangkok Charter 1985

By law, the FAD must inventory and classify all cultural resources for protection. Legal registration is achieved through publication in the Government Gazette. One of the problems that has been facing the FAD to date is that registration, while requiring the preparation of adequate management plans, has not engaged with a systematic assessment of heritage significance. The FAD is in the process of reviewing this, and is preparing documentation and guidelines to facilitate future assessments of heritage significance using predetermined criteria.

¹⁴⁰ The Ministry of Education also includes the Religious Affairs Department, and the Office of the National Culture Commission.

The FAD also manages Thailand's historical parks. The term 'historical park' in FAD usage derives from the first relevant project: Sukhothai Historical Park. The Sukhothai Stone Inscription No. 1 recorded the presence of 'forests' in the city; hence, the interpretation that Sukhothai was a garden city, and thereby a 'historical park'. It has now become the common reference for the conservation of a group of buildings, immovable objects or area, defined as 'the conservation of the monuments and sites which bear the quality of a group value with a clear definition of the project area' (Palakavong Na Ayudhya 1987: 72). There are currently ten historical parks in Thailand.

The various historical parks projects have over time led to the identification of a number of consistent problems (ibid: 84). Those relating to local communities more particularly are

- the encroachment of squatters
- lack of co-operation from local people
- exploitation (vandals, thieves) of isolated projects.

Various suggestions for improvement have been noted, all of which involve an increased level of community liaison and co-operation, including:

- intensify public relations work and co-operation between project personnel, locals and officers
- provide for a full understanding of cultural heritage by the locals and officers
- improve notification of conservation area
- find a more appropriate area for the squatters.

The 1997 Constitution of Thailand encourages Thai people to take responsibility for their heritage (Thailand report in AACU 2000b: 125):

- Section 3, Article 46 states that communities have the right to conserve or restore traditions and customs, local ingenuity, and local or national arts and cultures.
- Section 4, Article 69 requires a Thai National to protect, defend and perpetuate the national and local arts and cultures.
- Section 9, Article 289 tasks local administration with the preservation of local arts, traditions and customs, local ingenuity, or wholesome local cultures.

Ayutthaya Historical Park Master Plan

The master plan for the conservation and development of the 'Historical City', which was prepared in 1984, was ratified by the Cabinet in March 1993, and put into effect the following year. The 1991 inclusion of Ayutthaya on the World Heritage List would have put considerable pressure on the Thai government to implement a comprehensive management plan for the area. The 1990 World Heritage Nomination Document stated that an English language version of the plan would be made available after its adoption. It is however still only available in Thai, with the implication that neither the World Heritage Centre nor ICOMOS can easily refer to the document. My own comments are based on references in a small number of English language FAD publications, and on translations of specific sections made by my field assistant. At the time of writing, the Management Plan was under review.

The 1993 plan, *Management Plan, Conservation and Development Project, Phra Nakhon Sri Ayutthaya Historical City* (FAD 1993), was intended to be a 10 year work plan. It defines the study area as the 1810 rai of the Ayutthaya Historical Park, although its program incorporates the archaeological sites outside the historical park. Its parameters include land management, development planning, community relocation, environmental conservation, infrastructure development, information services and tourism, and budgetary and staffing resources. Within the historical park, approximately 13% of the land area was identified as occupied by residences and shops. Land belonging to the crown makes up almost 93% of the historical park, a small proportion of which had been used for housing under crown lease. The plan lists 95 significant archaeological sites within the historical park.

In the World Heritage nomination document, the FAD cited that 'it is difficult to perceive clearly the environs of the inner historic centre of the city, as there have been new settlements, buildings, and infrastructure that have altered the appearance of the original city' (Office of the National Environment Board 1990). Community encroachment was subsequently targeted as one of the major issues for management in the work-plan. The master plan included eight major work-plans, one of which was the 'Work Plan for the Development and Improvement of Residential Communities within the project area'. This particular plan incorporates a design concept that seeks

to mitigate unsightliness and detrimental impacts to the aesthetics of the historical park:

Such communities, in fact, create much lively atmosphere to the city, but some of those lying within or blocking the scenic views of the monuments and historical sites must be relocated in such way that appropriate and orderly harmonisation could be achieved. (FAD 1996: 40)

A caption to an illustration further notes that 'The untidy community will be modified by the Project' (ibid: 4; see also Charoenwongsa 1995; Chulalongkorn University SRI 1988). Apart from aesthetics, there are concerns about the impact of communities on ongoing conservation and restoration of the monuments. In addition, it is clear that some of the housing is illegal (squatters) and that there is a lack of appropriate public utilities leading to health problems. However, the administrative emphasis is placed on the detrimental effect to the 'archaeological image' and viewing of the park. A 1996 newspaper article reports that at that time more than 200 families were targeted for removal from illegally occupied areas (Klangsombut 1996), although in all instances it is clear that the FAD acknowledged responsibility for funding resettlement and providing a new location.

A4.3 Local Communities and Cultural Heritage

On one hand, the endeavours of the FAD are concerned with protecting Thailand's 'cultural heritage', as physically manifest in monuments, structures, relics and objects. On the other hand, there is a complementary intent to protect Thai 'culture'. One of the 'urgent matters' identified in the FAD's mission overview is to 'Support systematic and practical studies and researches on local wisdom and culture', that is to protect 'intangible' heritage. Additionally, the demands of constitutional processes urging 'decentralisation and democratisation' are being met through a greater liaison with local organisations to allow the (self) determination of specific cultural needs (FAD 2003). Engagement at the local level has been facilitated through the establishment of local cultural centres, through an initiative of the National Culture Commission, which has the authority to direct and co-ordinate cultural activities according to national cultural policies. For example, the Thailand Cultural Centre, officially opened in 1988, has become a major venue for performing and visual arts in

Bangkok. It encourages local performances at subsidised prices, and includes a permanent exhibition on Thai culture. It has an information centre and is a popular venue for conferences and seminars on art, and is actively involved with organising classes for children in music, dance and art and crafts (Chua Soo Pong 1995: 18).

Some 150 cultural centres have been established throughout Bangkok, the provinces and districts. These centres have been charged with the responsibility to collect cultural data; conduct research; preserve, promote, develop and disseminate Thai culture; support and train cultural staff; organise exhibitions and support the cultural activities of other government agencies. There is also the National Identity Board, part of the Prime Minister's office, which plays an active role in the promotion of Thai culture (ibid: 18; see also Koanantakool 2000: 211 for a discussion of cultural centres and the role of educational institutions in attempting to 'rediscover what is thought to be authentic tradition'). Where one exists, the cultural centres have been established in liaison with local higher-education colleges (Rajabhat Institutes), as is the case at Ayutthaya.

As well as hosting the Ayutthaya Cultural Centre, through which it runs a series of community workshops and training programs, the Rajabhat Institute Phra Nakhon Si Ayutthaya has incorporated specific local elements into its anthropology course, most particularly in its subjects on Local Wisdom and Local Tradition. At the secondary and primary levels the Ministry of Education has also implemented a national education policy to encourage the teaching of local culture within schools. There appears to be some flexibility in terms of the implementation of this program within individual school curricula. During my fieldwork, St Joseph's Catholic College, for example, was undertaking a teacher training workshop to incorporate local culture into a series of relevant subjects, rather than introducing an individual subject specifically devoted to the local Ayutthayan tradition and culture. Through this process, students would gain exposure to local arts and crafts – which include dance, *lakhon* and *likey* (forms of drama), boat racing, boat songs and culinary specialties. The course was also to include visits to local heritage places.

Finally, the Ayutthaya Municipality has set up a community network program that includes 35 registered local communities (*chumchon* – see table A4-1). There are 55 identified communities in the municipality, but not all are officially registered. The program is run through the Department of Welfare and Community Development, managed in liaison with a committee of two elected representatives from each community. Individual communities self-nominate for registration and must provide street boundaries and register the names and addresses of the residents in the area. To be eligible for registration the community must include more than 100 households. To some extent the borders appear to be arbitrary, and sometimes influenced by political (electoral concerns) but appear most generally to conform with groups who identify themselves as members of a particular village. One of the advantages of registration is that the community is eligible to apply for an annual community grant for up to 30,000 baht (approximately AU\$1200), and many of these grant applications are for the production and marketing of traditional handicrafts: examples provided by the Municipality for 2001 include an application by Chumchon Na Phra Tun Nak to produce *roti sai mai*, a Muslim sweet or dessert, and by Chumchon Ban Pratu Chai to produce stone carvings. In addition the Department runs programs to assist with livelihood and general living standards, and these also target skills such as handicraft and food preservation projects.

TABLE A4.1: Communities registered with the Ayutthaya Municipality

Chumchon Arkhan Songkhro	Chumchon Thai Krom
Chumchon Wat Thamniyom	Chumchon Sapasamit
Chumchon Wat Phakho	Chumchon Wat Inthra Ram
Chumchon Wat Wongkhong	Chumchon Su Lao Yanna tun na him
Chumchon Wat Mahalok	Chumchon Wat Cheung Ta
Chumchon Wat Salapun	Chumchon Wang Kaew
Chumchon Hua Laem	Chumchon Pom Phet
Chumchon Suan Sompert	Chumchon Na Phra Tun Nak
Chumchon Wat Sre Sanphet	Chumchon Ban Pratu Chai
Chumchon Sanchao Maetaptin	Chumchon Khlong Thor
Chumchon Pa Tong	Chumchon Tha Nam Wat Pradu
Chumchon Wat Phanonchung	Chumchon Chao Phrom
Chumchon Khlong Sai	Chumchon Wat Mae nang Pleung
Chumchon Wat Tong Pu	Chumchon Thung Kaew Krung Kaew
Chumchon Kor Loy	Chumchon Hua Ro Phat Tha Na
Chumchon Khun San	Chumchon Moo Ban Mong Khon Sap
Chumchon Rong ngan sura	Chumchon Wat Kuti Thong
	Chumchon Wang Chai Phatana