

## RECONCILING TWO SETTINGS : RESPONDING TO THREATS TO SOCIAL AND SCENIC HERITAGE VALUES

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### Introduction

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Australians have been asked for their views on the 'Aboriginal Tent Embassy' in Canberra, Australia's national capital. This land rights protest site, first established in 1972, has since grown into a large camp, standing vigil for reconciliation and an end to Indigenous third world living standards in a first world country. This 'Aboriginal Embassy' is heritage listed and sits within another listed heritage place, the 'Parliament House Vista', the centrepiece of the international winning design for the capital of Australia at its federation a century ago.

The current consultation is an attempt by government and the managers of the Parliament setting to resolve various conflicts about the Tent Embassy: one as a perceived eyesore in its formal surroundings and amongst solemn memorials; another the ongoing tension between the Aboriginal protestors and the local Indigenous community; and another, disagreement between heritage experts and urban planners about heritage planning processes.

Both the Tent Embassy and the surrounding Parliament House Vista are listed for 'social value', the cultural and spiritual associations a community has for a place. What are the implications of this review for such heritage values; is the national heritage standard, the Burra Charter, being applied to ensure that such heritage significance informs planning and management decisions, or is the consultation in name only with other agendas prevailing?

### 2005 Tent Embassy Review

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On 1 August 2005, the Hon. Jim Lloyd MP, federal Minister for Local Government, Territories and Roads announced consultation with Aboriginal communities around Australia to determine the future of the Aboriginal Tent Embassy ([www.ministers.dotars.gov.au/jl/releases/2005/august/L75\\_2005.htm](http://www.ministers.dotars.gov.au/jl/releases/2005/august/L75_2005.htm)). The Minister *denied it is an effort to 'clean up' the site; wanting to give the Aboriginal people the opportunity to have a site there that represents the aspirations of the Aboriginal community* (Australian Broadcasting Corporation; [www.abc.net.au/news/newsitems/200508/s142784.htm](http://www.abc.net.au/news/newsitems/200508/s142784.htm)).

This is the latest of a series of attempts to deal with the Aboriginal Tent Embassy, seen by some as an 'eyesore' and by others as an 'icon', symbolising indigenous Australians' struggle for greater political rights and recognition. As Dow describes (2000:5):

*Governments have tried, with varying success, to remove the embassy by use of police force, invoking territory ordinances and planning guidelines, direct negotiation and simply turning a blind eye with the hope that the embassy would fizzle out. In the intervening years the embassy has developed a significance to some Aboriginal people who can be heard describing it in terms of sacredness.*

This announcement does not mention that the Aboriginal Tent Embassy is a heritage site, and sits within another heritage site. The appointed consultants are expert in Indigenous and conflict mediation but have no heritage expertise. Their online questionnaire makes no reference to heritage significance ([www.mutualmediations.com.au/feedback-tentembassy.html](http://www.mutualmediations.com.au/feedback-tentembassy.html)), although it is understood to be part of their brief (pers comm. Swan, Territories Branch, Department of Transport and Regional Services, 6/9/2005).

### The heritage places and their settings

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To better grasp this current process at the Tent Embassy, we need to understand the importance of the Aboriginal Tent Embassy and the Parliament House Vista, their relationship, the current heritage system, and past conservation issues and practice at both.

### Canberra and the Parliament House Vista

A 100 years ago a series of decisions led to the Parliament House Vista's significance today:

- 1901 Australia federated as a single continental country
- 1908 the site for the new capital selected having decided to locate it between the two largest state capitals, Sydney and Melbourne
- 1911 an international design competition announced for the new capital
- 1912 the design by American Walter Burley Griffin chosen (Figure 1)
- 1913 the new capital named 'Canberra', the local Indigenous name meaning 'meeting place'

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The Parliament House Vista heritage area consists of c260 ha and is the core area of Griffin's central designed landscape of Canberra (Figure 2). The building of this area of the capital city largely followed his design vision and now includes Australia's major national parliamentary, legal, cultural, and administrative institutions. A key component of this area's design is the central land axis between Parliament House and the Australian War Memorial (Figures 3, 4).

- 1987 the Parliament House Vista entered in the Register of the National Estate as a heritage place, primarily for its design
- 1988 Bicentenary of the European settlement of Australia; new Parliament House opened on Capital Hill; 'Old Parliament House' now a museum of social and political history
- 1989 the Australian Capital Territory got self-government and the National Capital Authority formed to manage Commonwealth planning interests in Canberra

### Aboriginal Tent Embassy

This heritage site also results from a series of historical events related to the role and rights of Aboriginal people within Australian society. Australia's indigenous hunter-gatherer peoples consisting of some 300 different language groups at the time of European colonisation in 1788, now form about 2% of Australia's population of 20 million:

- 1901 Federation of States and Territories as one nation; Aboriginal people 'disenfranchised'
- 1927 first recorded Aboriginal political protest by Jimmy Clements at the site at the time of the opening of the provisional (now 'Old') Parliament House in Canberra; prehistoric archaeological remains found at the location
- 1964 increasing Aboriginal protest for civil rights; New South Wales 'Freedom Rides'
- 1966 Wave Hill Walk Off in Northern Territory, being a major protest by Aboriginal stockmen about equal pay and the return of their traditional lands
- 1967 referendum won by over 90% to count Aborigines as citizens, 'giving them the vote'
- early 1972 federal Coalition government with Prime Minister McMahon reject land rights
- 26 January 1972 (Australia Day) four Aborigines set up Tent Embassy in front of then Parliament House (Figure 5), site of usual democratic protest until 1988; their protest fast became a focal point for general Australian calls for justice for Aboriginal people

July 1972 the government during recess passed the Trespass on Commonwealth Lands Ordinance; 60 police removed tents and arrested eight people amid general protest

December 1972 Labor Government, with Prime Minister Gough Whitlam, wins federal election for first time in 23 years with a major reform agenda including land rights for Aboriginal people, pursued by both sides of government in the following two decades

26 January 1992 (Australia Day) Aboriginal Tent Embassy re-established on 20th anniversary of the original protest; a shed previously used for anti-apartheid protests outside the South African embassy was donated to the Tent

2 June 1992 High Court of Australia recognises 'native title', Aboriginal traditional ownership of land

April 1995 the Aboriginal Tent Embassy entered as a heritage place in the Register of the National Estate (Figure 2), being 1.5 ha, consisting of one shed as interpretative centre, two fireplaces, a camp beneath the trees, a mail box, flag and mast (Figure 6)

### Heritage Values

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Since 1 January 2004, Australia has had a new heritage system at the federal level, explained below. Both Parliament House Vista and the Aboriginal Tent Embassy were listed as heritage sites before then; current statements of heritage significance detailing their heritage values can be found online. For brevity's sake, the key aspects of these values are summarised:

#### Parliament House Vista Heritage Values

*Design Importance It is highly significant for its symbolic representation of the democratic interchange between the people and their elected representatives and its use of the natural landforms to generate a strong planning geometry. ... The vista landscape embraces the central land axis and part of the water axis ... and most of the Parliamentary Triangle ... The significance incorporates Walter Burley Griffin's vision for the area, as the focus of Commonwealth parliamentary and governmental activity as well as national cultural life. ... the Vista now presents as a philosophical concept expressed in urban planning, landscape and architecture, to achieve a grand vision of a symbolic, unified and visually dramatic place. ... The Parliament House Vista incorporating the central national area, is the core of the most ambitious and most successful example of twentieth century urban planning in Australia. ... Adding to the richness of the place is the manner in which*

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*Griffin's vision of democracy has also been emphasised, as places within the area have become identified with political protest actions by people, as exemplified in the significant Aboriginal Embassy site.*

*Social Importance... as a symbol of Australia and Federal Government. ... over many years since Canberra's creation ... The special association for the community is also the use of the area by people demonstrating against government decisions. The central national area, particularly Parkes Place in front of Old Parliament House, has been used for countless demonstrations.*

*Aesthetic Value... impact of the extensive open sweeping vista along the land axis ...*  
([www.heritage.gov.au/cgi-bin/ahpi/record.pl?CHL105466](http://www.heritage.gov.au/cgi-bin/ahpi/record.pl?CHL105466))

#### Aboriginal Tent Embassy heritage values

*Historic... the focus for Aboriginal and Torres Strait Islander people's political struggle for land rights, sovereignty, autonomy, equality and self government. The Aboriginal Embassy Site is also important as a place that has focused international attention ... The first recorded Aboriginal political protest at the site was made during the opening of Parliament House in 1927 by Jimmy Clements ...*

*Rarity The Aboriginal Embassy Site is unique because it is the only Aboriginal site in Australia that is recognised nationally as a site representing political struggle for all Aboriginal and Torres Strait Islander people. ...*

*Representative ... representative of the history of the interaction between the indigenous and non-indigenous peoples of Australia. ...*

*Social The Aboriginal Embassy Site is important as a National meeting ground for Aboriginal and Torres Strait Islander people from many different communities. ... It is therefore highly valued by Aboriginal and Torres Strait*

Islander people for symbolic, cultural, political, educational and social associations.

([www.deh.gov.au/cgi-bin/ahdb/search.pl?mode=place\\_detail;place\\_id=105224](http://www.deh.gov.au/cgi-bin/ahdb/search.pl?mode=place_detail;place_id=105224))

### **Heritage Management System**

Both heritage places are subject to new Commonwealth heritage legislation.

#### **Heritage Legislation**

Australia is a federation and heritage is primarily a state / territory responsibility. Until 1 January 2004, the Register of the National Estate's 13,000 cultural and natural heritage places triggered Australian Heritage Commission advice on impacts on those places by federal actions. Now the Commonwealth has stronger heritage responsibilities for places on the new National Heritage List (10 places in August 2005), identified by the Australian Heritage Council with the Department of the Environment and Heritage (DEH).

The same changes created the Commonwealth Heritage List of places owned, managed or leased by the federal government agencies, imposing obligations on them:

Listed places are protected under the Act which means that no-one can take an action that has, will have or is likely to have, a significant impact on the environment of a listed place, including its heritage values, without the approval of the Minister. It is a criminal offence not to comply with this legislation. ([www.deh.gov.au/heritage/commonwealth/implications.html](http://www.deh.gov.au/heritage/commonwealth/implications.html))

Initial assessment for the Commonwealth Heritage List was based on National Estate entries identified 335 heritage places, with others being incrementally assessed and added. The current situation for the two sites being discussed is:

	<i>Parliament House Vista</i>	<i>Aboriginal Tent Embassy</i>
Register of National Estate	Listed 1987	Listed 1995
Commonwealth Heritage List	Listed 2004	Decision by October 2005
National Heritage List	No nomination	Nominated, decision by May 2006

Commonwealth owners are also required to identify and protect heritage places, and develop management plans for heritage places according to the new Commonwealth Heritage Management Principles ([www.deh.gov.au/heritage/commonwealth/implications.html](http://www.deh.gov.au/heritage/commonwealth/implications.html)) and seek the Minister's advice before taking any action if there is no plan. Neither the Parliament House Vista nor the

Aboriginal Tent Embassy currently has a heritage management plan.

#### **Management Authority**

In 1989 the National Capital Authority became the relevant agency in the Australian Capital Territory for the Commonwealth Government's interest in the planning and development of Canberra as Australia's national capital. The

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National Capital Plan guides the NCA's planning on land designated as having a national interest, such as the Parliamentary Zone, and heritage places on that land (NCA 2002). Chapter 10 makes general commitments, including that *heritage should be identified, preserved, protected and conserved in accordance with internationally accepted principles*, and requiring Conservation Plans according to Australia ICOMOS' Burra Charter and the Master Plan for the Parliamentary Zone (Appendix T.6) details specific plans for the area based on its *meaning as the place of the people, accessible to all Australians ... , requiring that the place of the people ... reflect the political and cultural role of Australia's Capital; Federation and Australian democracy; ... The diversity of Australia, its peoples, natural environments, cultures and heritage; ...*

Yet this Master Plan does not mention any specific heritage places, and management / conservation plans are only now being prepared for places on the new Commonwealth Heritage List (pers comm. Broughton, National Capital Authority, 29/8/2005).

The National Capital Authority has other guidelines relevant to both sites and their significance, notably the Right to Protest, about where people can exercise their right to communicate their opinions and ideas through peaceful protests and demonstrations in public places, ([www.nationalcapital.gov.au/about/corporate/publications/right\\_to\\_protest](http://www.nationalcapital.gov.au/about/corporate/publications/right_to_protest)).

### **National Heritage Standard**

The nationally accepted heritage standard for heritage management and conservation in Australia, the Australia ICOMOS' Burra Charter (Australia ICOMOS 2000) states the key principle in this Charter is that the aim of conservation is to retain the cultural significance of a place (Article 2.2) and confirms a process that significance be established before management decisions are made. Revisions in 1999 reflect changes in heritage practice giving a stronger role to the relevant community/ies:

*Groups and individuals with associations with a place as well as those involved in its management should be provided with opportunities to contribute to and participate in understanding the cultural significance of the place. Where appropriate they should also be provided with opportunities to participate in its conservation and management.*  
(Article 26.3)

### **Management Issues**

In recent years several conflicts about planning and heritage in the Parliament House Vista suggest issues surrounding the Burra Charter process, that it is not applied or not working in this context. All the conflict, whether about changes proposed in the Parliament House Vista or from actions by the residents of the Tent Embassy, appear to stem from whether or how community consultation takes place, suggesting that the area's Master Plan and heritage commitments to community consultation are not working, as illustrated below:

### **Parliament House Vista**

The National Capital Authority has embarked on a series of memorials within the Parliament House Vista, including to the Magna Carta, the Constitution and to Reconciliation, seen to relate to the democratic symbolism of this parliamentary area. Such developments in principle undertook public consultation and received statutory heritage advice from the Australian Heritage Commission. Generally they appear to respect the Griffin urban design, although heritage experts sense uneasily that they incrementally compromise this vision.

Major conflict occurred in 2003 over a proposed 21 m high sculpture on the land axis to commemorate the centenary of federal women's suffrage. Heritage experts, including Australia ICOMOS, lobbied that this proposal risked overly dominating the heritage listed design values were. A cause for anger for many was that despite assurances to consult, especially with women, it was limited and did not seek or give time for informed feedback. The final result of this furore was the 'strategic withdrawal' of the sculpture by the relevant Minister, on the basis of a lack of funding with a discreet water design since added to the Parliament House gardens and not impacting the Vista's overall heritage integrity.

This example was one of many reviewed by a parliamentary committee in 2004 (Joint Standing Committee 2004:101):

*The Committee is concerned with the repeated complaints that the NCA has failed to engage in adequate consultation. This concern is exacerbated by the Committee's reliance on the fact that the Authority has undertaken adequate consultation with all relevant stakeholders in relation to a particular issue. The Authority itself admits that, in some cases, it has failed to adequately consult.*

Whilst noting that the NCA was opposed to the introduction of statutory consultation as part of the works

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approval process, the Committee's report commented (2004:105):

*The Committee is particularly concerned that the Authority appears to consider that simply informing stakeholders of its proposal, rather than actively engaging in a two-way process, is sufficient consultation.*

and recommended:

*That the Australian Capital Territory (Planning and Land Management) Act 1988 (Cth) be amended to require public consultation by the National Capital Authority in relation to works proposals in Designated Areas.*

These considerations about the National Capital Authority's deficient community consultation took place at the height of conflicts over the Aboriginal Tent Embassy, and attempts to resolve them, generally by other agencies than the NCA. They demonstrate the complex and confused mix of government and community interests and processes in Canberra's centre.

### **Tent Embassy Conflicts**

In 1992 the Aboriginal Tent Embassy was re-erected and has since grown (Figure 7), arousing divided responses from 175,000 annual visitors to Old Parliament House, some seeing it as a blot on the landscape others evocative in its very squalor of Aboriginal disadvantage.

In 1996, the election of a more conservative federal government saw changes to issues around Indigenous rights and reconciliation that polarised Australian society. Some welcomed a less liberal program, others strongly protested the lack of progress for Indigenous people:

1996 Wik High Court decision about native title, triggered government response to protect rights of pastoral leaseholders

1998 10 point plan, amendments to Native Title Act 1993 seen by many as turning back the clock on Indigenous rights to native title of their traditional country

2000 1 million Australians walk across bridges protesting federal government Reconciliation inaction and the Prime Minister's refusal to apologise to the 'Stolen Generation', Aboriginal children taken from their parents in the past

Since then protest by the wider public appears to have fallen silent. This is in face of a continued gap in the level of health and welfare of Australia's 2% indigenous people,

which have on average a life expectancy 20 years less than other Australians (ABS 26/8/2005).

Throughout, the Tent Embassy residents have increased their activism and provocation of authorities, with a strong call for Aboriginal sovereignty and a treaty. To some supporters of improved rights for Indigenous people, many of their actions do not seem integrated with broader protest or providing a focus for national protest. Others complain about the Tent Embassy and its activities, concerns falling into three distinct categories and different groups:

- Members of the public who feel that the Tent and surrounds are an eyesore at the centre of the nation's capital. Complaints come as letters to members of parliament or to the newspaper from visitors to Canberra or local residents touring guests.
- Some of the Ngunnawal, the traditional indigenous owners in the Canberra region, who consider that the residents of the Tent Embassy have no right to be on Ngunnawal land and do not agree with their style of protest; the Ngunnawal are in intra-community conflict, and some side with Tent Embassy residents.
- The federal minister responsible for Canberra and the National Capital Authority, who generally voice their concern in terms of safety and health issues for the Tent residents. Despite this view, the 1972 Trespass Ordinance is not invoked, although there have been major conflicts between the Tent residents and the police:

2001 The unpleasant prospect of violence at the Aboriginal tent embassy on an election day helped convince a wavering federal judge yesterday that he should grant an interim injunction to prevent further acts of alleged violence at the site. ... The residents ... claimed prominent Ngunnawal figure X and five other women visited the tent embassy on Monday, destroying one humpy, setting fire to a second, and making threats of more destruction. (Canberra Times, 9/11/2001)

2002 ACT Chief Magistrate Ron Cahill was accused of racial discrimination yesterday when he refused to allow Aboriginal tent embassy supporters to carry wooden "spears" in to his court room. ... to support ... X, who was charged with stealing the coat of arms from Old Parliament House on the Australia Day weekend. ... repeated calls to have the kangaroo and emu removed from the national emblem ... "It's about taking back what's ours," he said. (Canberra Times, 7/2/2002)

Other media headlines in 2002 show the ongoing conflict surrounding the Tent Embassy:

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15/8/2002 Tent embassy showdown - Federal Territories Minister Wilson Tuckey escalated his move against the Aboriginal tent embassy late yesterday, sparking a war of words with ACT Chief Minister Jon Stanhope who has vowed to defend the site.

16/8/2002 The tent embassy there to stay - Geoff Clark [the Chairman of the Aboriginal and Torres Strait Islander Commission] says Aborigines have been associated with the site for centuries and the 'eyesore' is not about to disappear.

An extreme conflict was over the Tent residents' erection of a giant kangaroo:

12/10/2002 Police move on giant tent embassy sculpture

31/10/2002 Clean-up provokes ugly scenes at tent embassy

Throughout these events and statements by political and community leaders there is no mention of the place being a heritage site of historic and symbolic significance.

In November 2002, the regional council of the Aboriginal and Torres Strait Islander Commission (ATSIC) announced consultation on the future of the Tent Embassy with all relevant interest groups federal and territory governments, the National Capital Authority and relevant Indigenous communities, in response to the hardening situation with the federal territories minister and his view that the Tent Embassy should go.

Throughout the consultation project, key players sometimes resorted to violence, demonstrating the polarised and seemingly intractable views of the interest groups:

7/11/2002 Tent embassy still has a role to play – I am one of the majority of Aboriginal people inhabitants of the ACT who are from Aboriginal nations other than the Ngunnawal and I am disgusted by the actions of local tribal Aboriginal leaders and their followers who have twice now created havoc at the Aboriginal Tent Embassy.

6/1/2003 Aboriginal monument proposed to replace tent embassy - Moves are under way within the Aboriginal community to replace the tent embassy at Old Parliament House with a permanent sculptural monument to the Aboriginal culture.

28/1/2003 Tent embassy row builds - The National Capital Authority asked police to remove a giant corrugated iron and timber structure erected by the... tent embassy.

20/2/2003 Tent embassy 'gunyah' demolished in dawn raid - In a dramatic pre-dawn confrontation, 70 police

officers ... with riot gear, shields and guns raided the ... Tent Embassy yesterday to assist contractors tear down a giant illegal structure.

20/3/2003 Tent embassy vow to fight demolition - Representatives of Canberra's Aboriginal Tent Embassy are vowing to stay put despite calls to replace the buildings

8/6/2003 Ruling poses questions on tent embassy – Police could have a real problem forcibly evicting ... the Aboriginal Tent Embassy should the Federal Government ever declare t the site must be cleared, a recent ACT Supreme Court ruling suggests.

### 2003 Consultation Results

The ATSIC Queanbeyan Regional Council did not accept the consultant's June 2003 report which recommended (Brisbane City Enterprises 2003:3):

(a) *A continuation of the Aboriginal Tent Embassy, without permanent on-site camping. The recognition of the continuing significance of the Aboriginal Tent Embassy site and the form of its ongoing use by Indigenous people must be formalised by the Indigenous community itself and then endorsed by the civil authorities*

(b) *Representative forums be established to consider the findings and recommendations of this report, and to develop an Indigenous response to them. Participants at the forums should include representatives of key Indigenous stakeholders, such as:*

- *the current occupants of the Aboriginal Tent Embassy site*
- *the 1972 occupants of the site*
- *the traditional owners*
- *other interested Indigenous organisations and communities*

This 2003 consultation showed:

- 74% of respondents saw a continuing role for the Aboriginal Tent Embassy
- 60% considered Tent residents do not have a mandate to represent Indigenous views
- 76% wanted continued heritage listing.

These figures do not indicate the intensely differing views amongst Aboriginal people about the ongoing role of the Tent Embassy, hence the recommendation for further consideration.

### Since 2003

No decision was announced about the Tent Embassy after the report to ATSIC until two years later the renewed consultation was announced. As well as the new heritage

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legislation in early 2004 and in mid-2004 the Parliament's recommendation on greater and more genuine community consultation about Canberra's national land including parliamentary triangle, there were other decisions relevant to the area's heritage management and the Tent Embassy:

April 2004 Government announced proposed abolishment of the Aboriginal and Torres Strait Islander Commission, the independent, Indigenous-elected and self-determining manager of Indigenous programs by end June 2005

August 2004 the original 1992 shed of the new Aboriginal Tent Embassy was destroyed in an overnight fire, the third firebomb to occur at the site

May 2005 Aboriginal Tent Embassy nominated to National Heritage List, but as noted above decisions about its listing on the National or Commonwealth Heritage Lists are not yet due

## **Conclusion**

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Perhaps most of all the above account suggests that if management authorities and political institutions have not applied consistent heritage conservation practice, such as fully identifying and acknowledging a site's particular heritage significance, notably 'social value', before entering into processes to decide on future management, no amount of consultation will necessarily result in the protection of those values. This appears to be particularly so in a context of the currently changing heritage regime, where management decisions about the future of the Tent Embassy, appear to be pre-empting the review and assessment of that site's heritage significance. The process certainly seems to contravene the Burra Charter that seeks to have cultural heritage significance guide decisions.

Also, the processes regarding overall heritage protection in the Parliament House Vista, are not integrated, even appear to be in conflict. It is notable in this example that the independent National Capital Authority, charged with managing heritage places and their values in the Parliament House Vista, has no major role in this process, it being steered by a policy area of the Territories Minister's department. It is equally notable that it is taking place ahead of the development of a heritage conservation management plan for the Parliament House Vista, which includes the Tent Embassy in its heritage significance. Whether deliberate or not, it is a process too easily seen as not genuinely seeking a community heritage solution, but rather one at the very least privileging the formal design heritage values over the area's symbol of democratic protest, if not being a ploy to remove the Tent Embassy. The Burra Charter asks that all heritage

values be treated equally, but the current process makes this difficult.

By appearing to exclude its heritage value in the consultation process which appears to focus on future management decisions, and requiring a rushed report before its heritage standing is fully reviewed, this story demonstrates that decision-makers have yet to learn to fully involve community/ies participation in the protection of heritage places, nor how to respect and resolve differences. Mishandling this aspect of the heritage conservation process, risks in this case, destabilising the very meanings and associations the Tent Embassy holds for many Indigenous people and other Australians.

A place listed as heritage primarily for its role as a political protest site has heritage values that are quite volatile and already subject to a re-writing of its history and heritage significance, without seeming to deliberately invite polarised positions that further mythologise the site's significance. This is already seen in the current Embassy residents' and Ngannawal rhetoric. Getting the process right is important, failing perpetuates the threats to the entire integrity of the Vista, seen as the heart of Australia's national capital. In its centre, the Aboriginal Tent Embassy, surrounded by tension and distrust, needs hope of a resolution, as expressed by Michael Anderson, one of the original 1972 founders of the Embassy, who:

*... did not want the site to become "a decoration" ... It was not that the embassy was untidy looking that caused people to want it removed, but that it reminded them of the failures in Aboriginal policy. Mr Anderson did not spell out what the compromise might be but said Aboriginal people were going to stay on the site. (Canberra Times 25/7/05:6)*

However a voice from the general public shows that although differing positions about the Tent Embassy's future are not along a 'black-white' divide, distrust of the process is strong:

*Sanitising the embassy won't wash*

*Territories Minister Jim Lloyd has opened negotiations on the tent embassy with a declaration that change has to happen. He hopes Aboriginal leaders can persuade the residents to leave (CT August 30, p4). This crude and manipulative approach will be recognised for what it is by the determined and patient embassy supporters.*

*One objective of the embassy is to convince Australian governments that change has to happen. The form of the embassy, determined by Aboriginal people, is one that many non-Aboriginals see as an eyesore and an embarrassment.*

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*That points clearly to the greater embarrassment of the way non-Aboriginals have treated Aboriginal people and devalued their societies and cultures.*

*Mr Lloyd wants to end the campaign and replace the embassy with a permanent museum. That is, he wants to sanitise the embassy project to make it acceptable to non-Aboriginals,*

*The embassy should remain as a disturbing, controversial and totally unassimilated political symbol. (Letter to the editor, Canberra Times, X, 1/9/2005)*

### Abstract

The community of Canberra, Australia's national capital, has been asked for their views on the 'Aboriginal Tent Embassy'. This land rights protest site, first established in 1972, has since grown into a large camp, standing vigil for reconciliation and an end to Indigenous third world living standards in a first world country. This 'Aboriginal Embassy' is heritage listed and sits within another listed heritage place, the 'Parliament House Vista', the centrepiece of the international winning design for the capital of Australia at its federation (Attachment 1).

The current consultation is an attempt by government and the managers of the Parliament setting to resolve various conflicts seen as triggered by the Tent Embassy: one as an eyesore in its formal surroundings and amongst solemn memorials; another the ongoing tension between the Aboriginal protestors and the local Indigenous community; and another, disagreement between heritage experts and urban planners.

This paper outlines how these conflicts are, or are not, being resolved given the competing settings and heritage values of each place, and in the light of the 1999 amendments to the national heritage conservation standard, Australia ICOMOS' *Burra Charter* that increased recognition of community heritage values. Are there lessons to be learnt that apply internationally?

#### Bio-note:

Marilyn Truscott is an archaeologist, with studies in history and materials conservation, and 30 years of heritage conservation experience. She has worked as museum curator, consultant archaeologist and as a senior heritage officer at state and federal levels on both Indigenous and non-Indigenous heritage, including world heritage, and their relation to the natural environment. She has been closely involved with changes in heritage practice to better understand community heritage and cultural landscapes. Marilyn now works as a heritage consultant, on both Indigenous and non-Indigenous Australian heritage places

and internationally, as well as undertaking doctoral research on community archaeology. Marilyn has been a member of Australia ICOMOS since 1980, being a member of its Executive Committee for 13 years and President of Australia ICOMOS from 1997 to 2000. She is currently a member of the ICOMOS International Publications Committee, Editor of 2000 and 2004 Heritage at Risk reports, and an associate member of the ICOMOS International Committee on Archaeological Heritage Management.

### References

1. ABS 26/8/2005 The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples. Report by the Australian Bureau of Statistics, No 4704.0 ([www.abs.gov.au/ausstats/abs@.nsf/1020492cfd63696ca2568a1002477b5/476d8c4ec4e041c9ca256888002a4904!OpenDocument](http://www.abs.gov.au/ausstats/abs@.nsf/1020492cfd63696ca2568a1002477b5/476d8c4ec4e041c9ca256888002a4904!OpenDocument))
2. Australia ICOMOS 2000 The Burra Charter 1999 (The Australia ICOMOS Charter for Places of Cultural Significance) with associated Guidelines and Code on the Ethics of Co-existence. Australia ICOMOS Incorporated. ([www.icomos.org/australia](http://www.icomos.org/australia))
3. Brisbane City Enterprises June 2003 'Review of the Future of the Aboriginal Tent Embassy, Canberra.' A report for the Queanbeyan Regional Council of ATSIC by Brisbane City Enterprises Pty Ltd in association with the Mirri Centre, Ipswich. ([www.bce.com.au/online/docs/FINAL%20ATSIC%20Report.pdf](http://www.bce.com.au/online/docs/FINAL%20ATSIC%20Report.pdf))
4. Dow, Coral 2000 Aboriginal Tent Embassy: Icon or Eyesore? Chronology 3 1999-2000 A Report by the Social Policy Group, Parliamentary Library, Parliament of Australia. ([www.aph.gov.au/LIBRARY/Pubs/chron/1999-2000/2000chr03.htm](http://www.aph.gov.au/LIBRARY/Pubs/chron/1999-2000/2000chr03.htm))
5. Joint Standing Committee on National Capital and External Territories July 2004 A national capital, a place to live: Inquiry into the Role of the National Capital. ([www.aph.gov.au/house/committee/ncet/nca/report.htm](http://www.aph.gov.au/house/committee/ncet/nca/report.htm))
6. NCA 2002 Consolidated National Capital Plan, incorporating amendments, updated February 2002. Plan for the National Capital Authority. ([www.napcap.gov.au/planning/NCP](http://www.napcap.gov.au/planning/NCP))