

Protecting Aboriginal cultural heritage Mount Arapiles-Tooan State Park

Background

Known as Dyurrite by the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples (collectively Wotjobaluk), Mount Arapiles has for thousands of years been an important cultural place. Deep spiritual and cultural connections to the area are still maintained and recognised.

Barengi Gadjin Land Council (BGLC) is recognised by Federal and State Governments as having authority to speak on behalf of the Wotjobaluk Peoples, and has co-managed the Mount-Arapiles-Tooan State Park with Parks Victoria since 2005.

The whole of the state park is considered an area of Aboriginal Cultural Heritage Sensitivity, meaning it contains both registered Aboriginal cultural heritage places and has a landscape likely to contain Aboriginal cultural heritage. As with most parks and reserves in Victoria, the full extent of Aboriginal cultural heritage values at Mount Arapiles Tooan State Park is still being understood.

Protecting Aboriginal cultural heritage

Victoria has many rich Aboriginal cultures, with its landscapes holding the imprint of thousands of generations of Aboriginal peoples.

Parks Victoria is proud to be part of protecting and celebrating this heritage in partnership with Traditional Owners. Aboriginal cultural heritage protection programs at Mount Arapiles-Tooan State Park are guided by BGLC as the Registered Aboriginal Party.

Both legislation and management practices help to protect Aboriginal cultural heritage.

The Aboriginal Heritage Act 2006

This legislation recognises the rights of Traditional Owners in the management of their cultural heritage. Section 1 of the Act outlines its purposes:

- a. provide for the protection of Aboriginal cultural heritage and Aboriginal intangible heritage in Victoria
- b. empower Traditional Owners as protectors of their cultural heritage on behalf of Aboriginal people and all other peoples
- c. strengthen the ongoing right to maintain the distinctive spiritual, cultural, material and economic relationship of Traditional Owners with the land and waters and other resources with which they have a connection under traditional laws and customs
- d. promote respect for Aboriginal cultural heritage, contributing to its protection as part of the common heritage of all peoples and to the sustainable development and management of land and of the environment.

Under the Act it is an offence to harm Aboriginal cultural heritage. This protection applies to all Aboriginal cultural heritage, regardless of whether it is on the Victorian Aboriginal Heritage Register or not.

The National Park Act 1975

This Act directs park management agencies to make provisions to protect and preserve indigenous flora and fauna, and features of scenic or archaeological, ecological, geological, historic or other scientific interest in those parks.

Under the *National Parks Regulations 2003*, interfering with rocks or similar natural objects is prohibited. In line with the Regulations, Parks Victoria actively discourages the use of fixed equipment (pitons, bolts, chains etc.) in favour of clean climbing techniques.

Co-management of Mount Arapiles-Toooan State Park

BGLC and Parks Victoria are guided by the following principles when managing Aboriginal cultural heritage in the state park:

1. The diversity of Aboriginal cultural heritage in parks, including post-contact places and intangible heritage, will be recognised, protected, conserved and interpreted where appropriate.
2. All development and management activities in parks must avoid harm to Aboriginal Ancestral Remains, and secret or sacred objects.
3. All development and management activities in parks must make all efforts to avoid harm to other Aboriginal cultural heritage.
4. Parks Victoria will support Traditional Owners to maintain and enhance their cultural connection to parks and reserves through customary practices.
5. Traditional Owner engagement is a core component of park management. Appropriate engagement on all projects that may affect Aboriginal cultural heritage is required regardless of whether the land is jointly managed, co-managed or solely managed by Parks Victoria.
6. While all Parks Victoria staff are involved in the management of Aboriginal cultural landscapes, only Victorian Traditional Owners through their representative organisations can speak for their own Country and cultural heritage.
7. Registered Aboriginal Parties must be appropriately consulted as Traditional Owner organisations that hold decision making responsibilities under the *Aboriginal Heritage Act 2006* for protecting Aboriginal cultural heritage within their appointed area.

Threats to Aboriginal cultural heritage

There are many things that threaten cultural heritage and have the potential to cause harm. These include natural events such as weather and bushfires, animals, human activities and some park management activities. All these potential threats need to be carefully considered and managed.

Some examples of threats to cultural heritage include:

- kicking and wearing away rocks
- using chalk and brushes on rock faces
- moving vegetation and rocks
- placing bolts or other semi-permanent infrastructure into rocks
- driving and parking vehicles off-road
- camping and walking
- digging the ground by both people and animals
- pest animal programs such as ripping the ground during rabbit control
- fires, particularly as a threat to scar trees and rock art sites
- illegal removal of firewood from scar trees and other culturally modified trees
- water, floods and erosion.

Determining management approaches

Aboriginal cultural heritage includes material culture (eg. scar trees, quarries) and intangible culture (eg. creation stories). The values associated with cultural heritage require different management approaches for their protection.

Across the state, Parks Victoria works with Traditional Owners to apply many risk management mechanisms, legislative tools, practices and techniques including:

- public education and awareness
- contractor and volunteer inductions
- Traditional Owners supervision
- Cultural Heritage Permit
- Cultural Heritage Management Plan
- Aboriginal Cultural Heritage Land Management Agreements
- set-asides under *the National Park Act 1975*
- ongoing protection declarations under the *Aboriginal Heritage Act 2006*
- compliance and enforcement programs by Authorised Officers.

At Mount Arapiles-Toooan State Park, BGLC and Parks Victoria ensure all programs and activities are formally assessed for potential to threaten cultural heritage. All contractor and volunteer activities are also assessed and managed in this way so that appropriate risk management can occur.

Aboriginal cultural heritage is being constantly rediscovered. Whether on private or public land, once identified there is an obligation to document and report cultural heritage for assessment and registration with Aboriginal Victoria.

Cultural heritage management

Parks Victoria and BGLC work together to implement cultural heritage protection mechanisms in Mount Arapiles-Tooan State Park.

Some examples of protections to date include:

- education through signage and visitor guides
- exclusions such as at Plaque Rock Art Site and Taylors Rock (Declaration Crag)
- withholding the location of cultural sites
- monitoring cultural sites
- induction of volunteers and contractors
- a Cultural Heritage Management Plan for a potential pipeline connection to Centenary Park Campground
- permit conditions for Licenced Tour Operators and events at the park
- targeted patrols of visitor activities
- compliance and enforcement programs
- risk assessments for potentially impactful park operations such as fuel reduction slashing and burning, road and track management.

Future management approaches

The Victorian Government is currently in negotiations with the Wotjobaluk Peoples in relation to the *Traditional Owner Settlement Act 2010*, with a settlement expected within 18 months. It is likely a settlement will lead to joint management arrangements for Mount Arapiles-Tooan State Park. The starting point for joint management arrangements, which are in place for other parks in Victoria, is the development of a joint management plan.

As the park progresses towards joint management, BGLC and Parks Victoria will continue to work closely together to determine future management approaches at the park.

These will likely include:

- assessments of known cultural places in the park that are identified by BGLC, such as rock art sites
- a comprehensive survey of the whole park to identify and record all cultural values and places
- raising awareness of the area's Aboriginal cultural heritage
- implementing protection measures to manage specific threats to cultural values and places.

Further reading:

- *Aboriginal Heritage Act 2006*
- *Aboriginal Heritage Regulations 2018*
- *National Parks Act 1975*
- *National Parks Regulations 2013*
- Parks Victoria Aboriginal Heritage Identification Guide
- Growing What Is Good – Country Plan (Barengi Gadjin Land Council 2018)