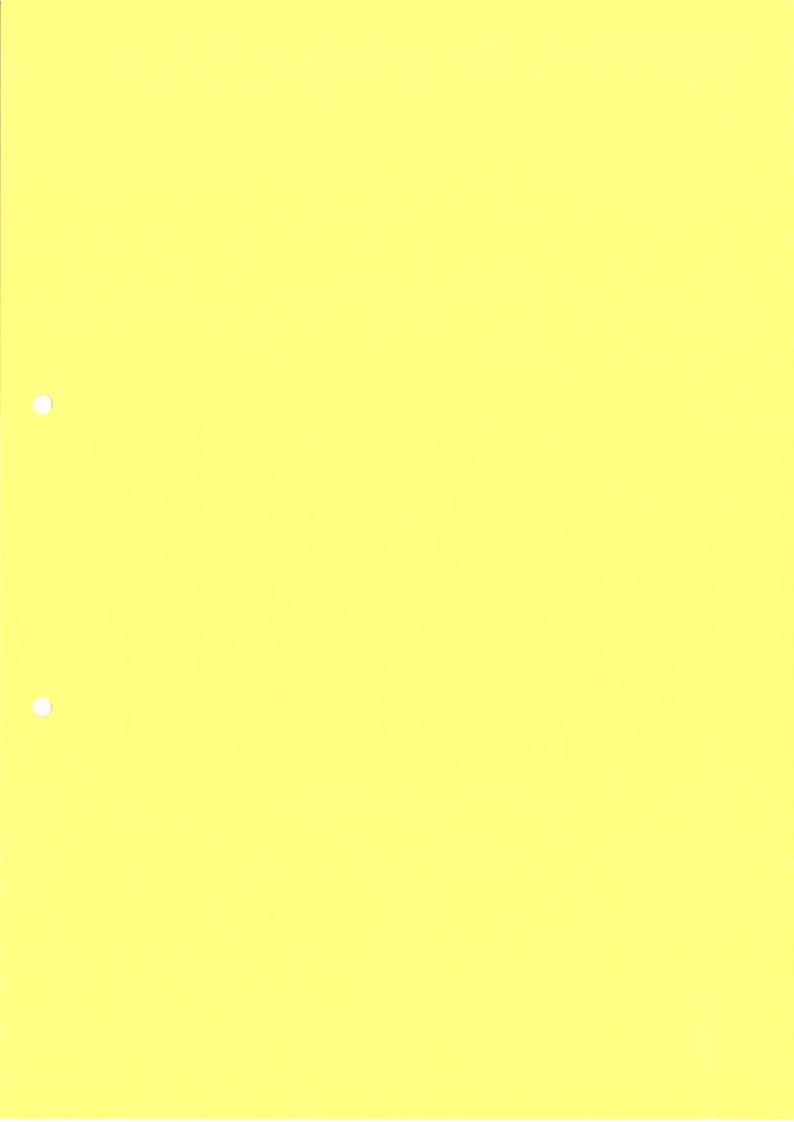
From: Damein Bell Date: 14 December 2018 at 11:18:20 am AEDT	
To:	@parks.vic.gov.au>
Cc:	
	ABATTA PARAMETER AND
Subject: Rock Climbing in Gariwerd	
Hi	
Attached is our letter regarding the impact and dame	age being caused by rock climbing in Gariwerd.
Thanks	
Damein Bell	
CEO	ABODICINIAL CORPORATION DISTRIC
GUNDITJ MIRRING TRADITIONAL OWNERS PO Box 216, Heywood VIC 3304	ABORIGINAL CORPORATION KNIBC
www.gunditimirring.com	



4/48 Edgar Street PO Box 216

Phone: +61 (03) 5527 1427 Fax: +61 (03) 5527 1704 Heywood VIC 3304 ABN 30 030 646 482 ICN 4672

14 December 2018

A/Director, Managing Country Together Parks Victoria

Via email:

@parks.vic.gov.au

Dear

Rock Climbing and its impact on rockart within the Grampians National Park

I refer to the meeting held on 19 November 2018 where it was raised that rock climbing was impacting on Aboriginal cultural heritage sites within the Gariwerd claim area. It was noted that Parks Victoria was considering upgrading its current Grampians (Gariwerd) Management Plan and is enforcing non-compliance by users within the Grampians Park area.

There are significant cultural heritage concerns that the rock climbing activity raises. We recommend that Parks Victoria implement measures to ensure that rock climbing does not occur where Aboriginal rock art sites are located. It is reiterated that under the Aboriginal Heritage Act 2006 (Vic) (AHA) that it is an offence for any person to knowingly cause damage to Aboriginal cultural heritage and we appreciate the effort that Parks Victoria has undertaken to ensure compliance.

GMTOAC RNTBC encourages Parks Victoria to update the Management Plan for Gariwerd to address the contemporary developments and use of Gariwerd by the broader community. We further request that Parks Victoria engages with the Traditional Owners of Gariwerd thoughout this process.

To address the current rock climbing matter, it is proposed that measures are implimented to ensure that areas of cultural heritage sensitivity are protected. These measures could include:

- A stop order to prevent rock climbing at sites of sensitivity within the park;
- Enforcing non-compliance throughout Gariwerd;
- Undertaking a Cultural Heritage Management Plan (this may not be practical depending on the resources of the rock climbing associations, however, may be undertaken in the preparation of the broader Gariwerd Management Plan);
- The Victorian Aboriginal Heritage Council (VAHC) or the Minister for Aboriginal Affairs to make a interim protection declaration order over the rock art sites. Following this, the VAHC and/or the Minister to make a continuing protection order to ensure the protection of these sites.

... Continuing Connection to Country ...

www.gunditjmirring.com

It is proposed that greater communication between the Traditional Owner group, Parks Victoria and the rock climbing organisations is required to address this matter holistically. This could be achieved by Parks Victoria facilitating a meeting between the Victorian Rock Climbing Association and the Traditional Owners to discuss how to address this matter. Further to this, the Traditional Owners for Gariwerd could be engaged to provide cultural awareness training to the rock climbing associations and to develop a protocols document in conjunction with the required stakeholders.

First Nations recomends Parks Victoria to restrict access of rock climbers to sites of significance and suggest that users of the area undertake their activity in other appropriate areas within Gariwerd.

If you would like to discuss this matter further, please do not hesitate to contact me directly on

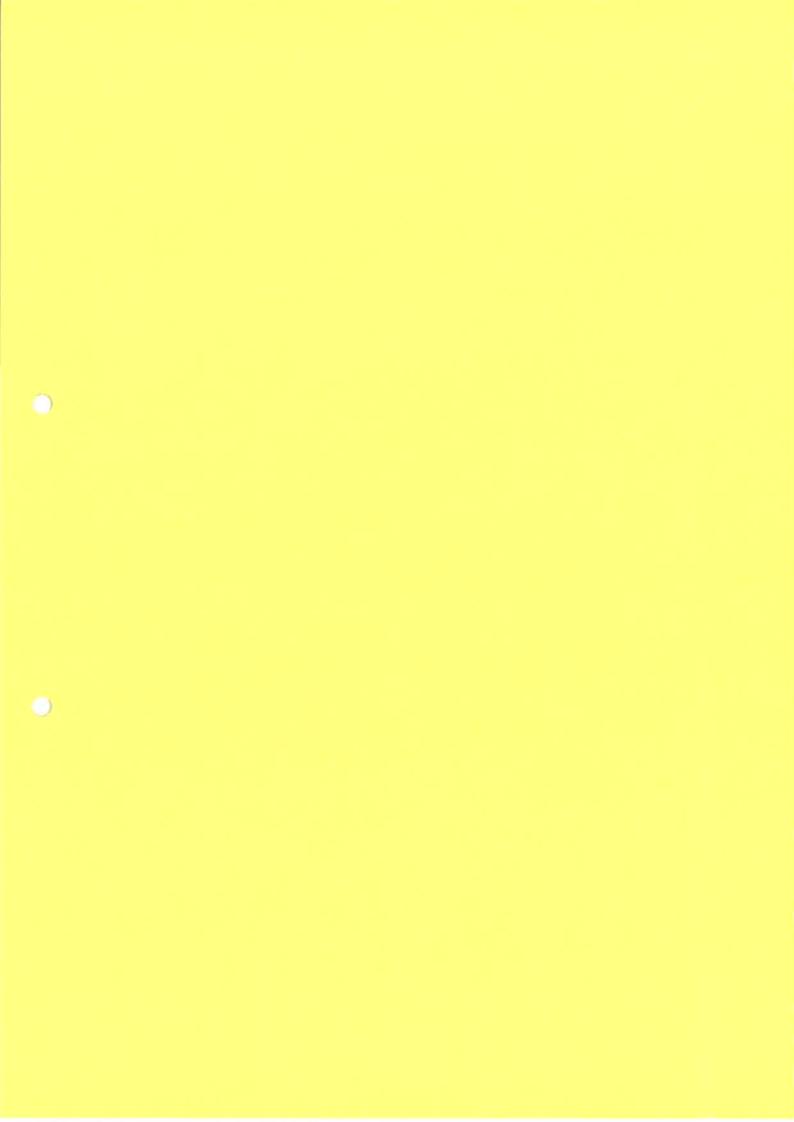
Yours sincerely

Damein Bell CEO

CC

Aboriginal Heritage Unit

@dpc.vic.gov.au
Victorian Aboriginal Heritage Council
VAHC@dpc.vic.gov.au



From: @fnlrs.com.au>
Date: 14 December 2018 at 11:08:29 am AEDT

To: @parks.vic.gov.au>,

@dpc.vic.gov.au>, @dpc.vic.gov.au>

Cc:

Subject: Rock climbing and the impact on Aboriginal rock art sites

Good Morning and the Victorian Aboriginal Heritage Council

Please find attached the following correspondence regarding the impact that rock climbing is having on rock art sites within Gariwerd. Given that the Christmas holiday break is a busy time for all, it is hoped that interim measures can be implemented to ensure that Aboriginal sites of significance are not disturbed by rock climbing.

Could you please acknowledge receipt of this correspondence and I look forward to hearing from you in the near future regarding this matter.

Kind Regards,

First Nations Legal & Research Services

12-14 Leveson Street (PO Box 431) North Melbourne VIC 3051

Website: www.fnlrs.com.au

Find us on Facebook

Please note my working days are Monday - Friday.

I acknowledge and pay my respect to the Traditional Owners of Victoria whose land I work, sleep and walk on.

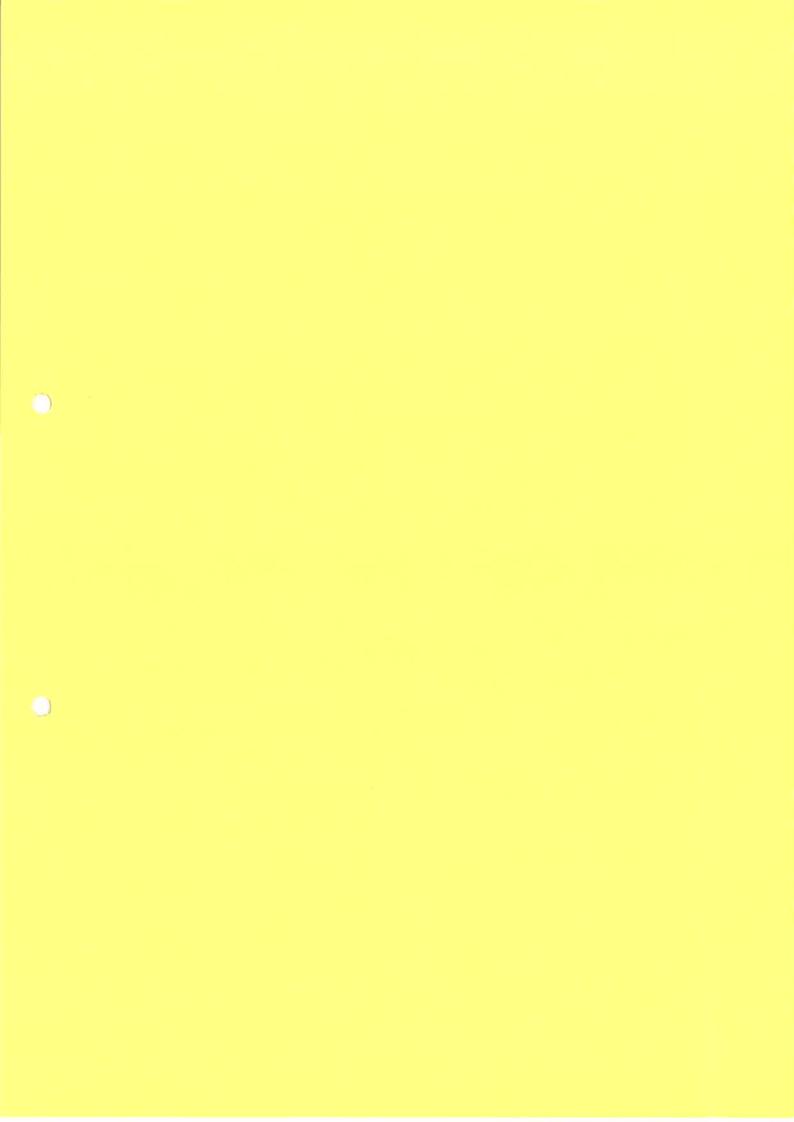
CONFIDENTIALITY AND PRIVILEGE NOTICE

This email and any attachments may contain confidential information and may be subject to legal professional privilege. If this email has been sent to you in error, confidentiality and privilege is not waived, and any use or disclosure of the information therein is prohibited. If you have received this email in error, please notify the

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sender by reply email, delete it from your system and destroy any copies. If this is a private communication, it does not represent the views of First Nations Legal and Research Services Ltd.

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering. http://www.mailguard.com.au





14 December 2018

Our Ref:	
----------	--

A/Director, Managing Country Together Parks Victoria

Via email:

@parks.vic.gov.au

Dear

Rock Climbing and its impact on rockart within the Grampians National Park

I refer to the meeting held on 19 November 2018 where it was raised that rock climbing was impacting on Aboriginal cultural heritage sites within the Gariwerd claim area. It was noted that Parks Victoria was considering upgrading its current Grampians (Gariwerd) Management Plan and is enforcing non-compliance by users within the Grampians Park area.

Future Acts

In response to the issues noted within the meeting, First Nations Legal and Research Services Ltd. (First Nations) submits that the activity of inserting the steel bars into the rock could be a future act within section 24JA of the Native Title Act 1993 (Cth) (NTA). This is on the basis that the steel bars are considered a fixture and Parks Victoria has issued a lease or licence to a "rock climbing association".

Even if the above requisits are satisfied, no procedural rights are afforded to the people who hold or may hold native title due to the potential fixture not being a "public work". The granting of the lease or licence would not extinguish native title as it is not considered a "public work".

If the act was valid, it is essential to ascertain the purpose of the reserved Crown land and ensure that the current act does not have a greater impact then what the land was originally reserved for. It is arguable that the act would have a greater impact in accordance with land reserved only for "conversation" purposes.

First Nations Legal & Research Services
12-14 Leveson Street (PO Box 431) North Melbourne V/C 3051
T: (03) 9321 5300 | Toll Free: 1800 791 779 | F: (03) 9326 4075

ABN: 27 105 885 149





Further to this, First Nations submits that if Parks Victoria undertook an update of its Management Plan, this would fall within section 24JA of the NTA and that both First Nations and the Traditional Owners have the right to comment on the management plan in accordance with the procedural requirements set out in the NTA.

Aboriginal Cultural Heritage

There are significant cultural heritage concerns that the rock climbing activity raises. First Nations recommends that Parks Victoria implement measures to ensure that rock climbing does not occur where Aboriginal rock art sites are located. It is reiterated that under the *Aboriginal Heritage Act 2006* (Vic) (AHA) it is an offence for any person to knowingly cause damage to Aboriginal cultural heritage.

First Nations encourages Parks Victoria to update the Management Plan for Gariwerd to address the contemporary developments and use of Gariwerd by the broader community. First Nations request that Parks Victoria engages with the Traditional Owners of Gariwerd thoughout this process.

To address the current rock climbing matter, it is proposed that measures are implimented to ensure that areas of cultural heritage sensitivity are protected. These measures could include:

- A stop order to prevent rock climbing at sites of sensitivity within the park;
- Enforcing non-compliance throughout Gariwerd;
- Undertaking a Cultural Heritage Management Plan (this may not be practical depending on the resources of the rock climbing associations, however, may be undertaken in the preparation of the broader Gariwerd Management Plan);
- The Victorian Aboriginal Heritage Council (VAHC) or the Minister for Aboriginal Affairs to make a interim protection declaration order over the rock art sites. Following this, the VAHC and/or the Minister to make a continuing protection order to ensure the protection of these sites.

It is proposed that greater communication between the Traditional Owner group, Parks Victoria and the rock climbing organisations is required to address this matter holistically. This could be achieved by Parks Victoria facilitating a meeting between the Victoran Rock Climbing Association and the Traditional Owners to discuss how to address this matter. Further to this, the Traditional Owners for Gariwerd could be engaged to provide cultural awareness training to the rock climbing associations and to develop a protocols document in conjunction with these stakeholders.

First Nations Legal & Research Services 12-14 Leveson Street (PO Box 431) North Melbourne VIC 3051 T: (03) 9321 5300 | Toll Free: 1800 791 779 | F: (03) 9326 4075 www.fnlrs.com.au

ABN: 27 105 885 149





First Nations recomends Parks Victoria restrict access of rock climbers to sites of significance and suggest the users of the area undertake their activity in other appropriate areas within Gariwerd.

If you would like to discuss this matter further, please do not hesitate to contact me on

Yours sincerely

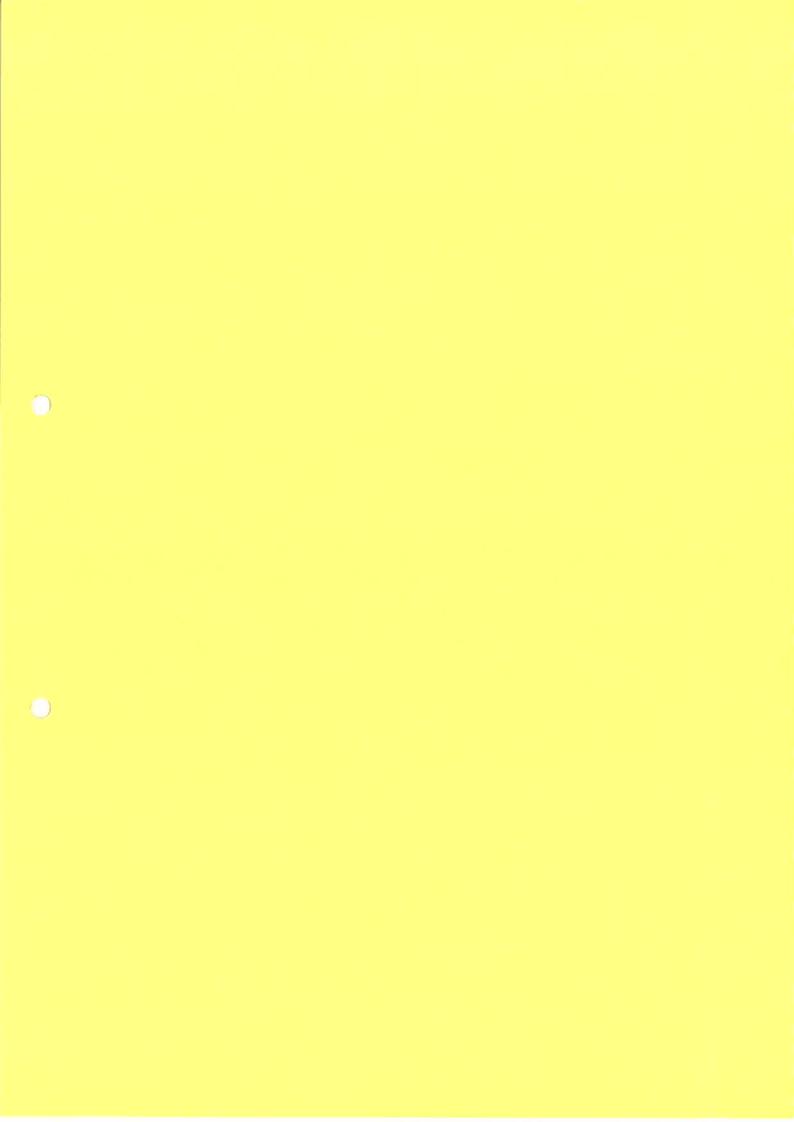
CC

Aboriginal Heritage Unit

@dpc.vic.qov.au Victorian Aboriginal Heritage Council VAHC@dpc.vic.gov.au

First Nations Legal & Research Services 12-14 Leveson Street (PO Box 431) North Melbourne VIC 3051 T: (03) 9321 5300 | Toll Free: 1800 791 779 | F: (03) 9326 4075 www.fnlrs.com.au ABN: 27 105 885 149





Traditional Owners Grampians Peaks Trail Meeting

MINUTES

11-12 February 2019

Mural Room, Parks Victoria Office, Halls Gap



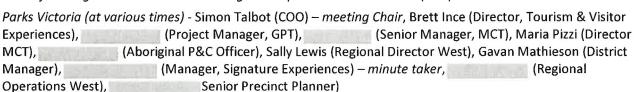


Attendees:

Barengi Gadjin Land Council - Michael Stewart (CEO)

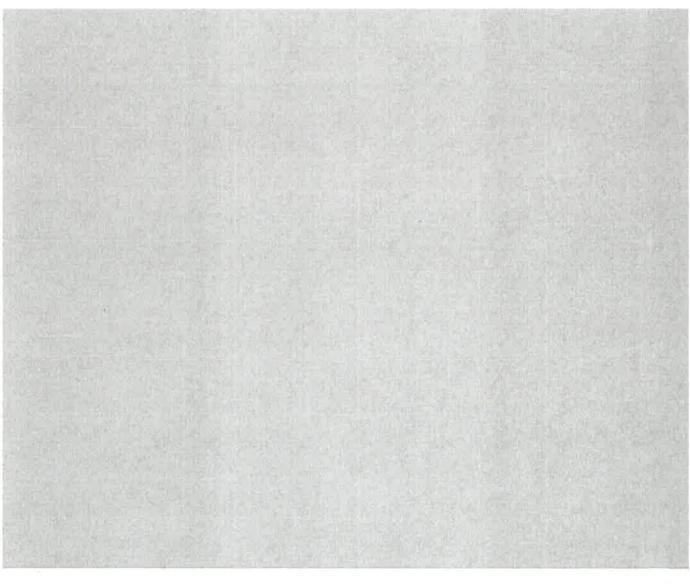
Eastern Maar Aboriginal Corporation (Monday only)- Jamie Lowe (CEO)

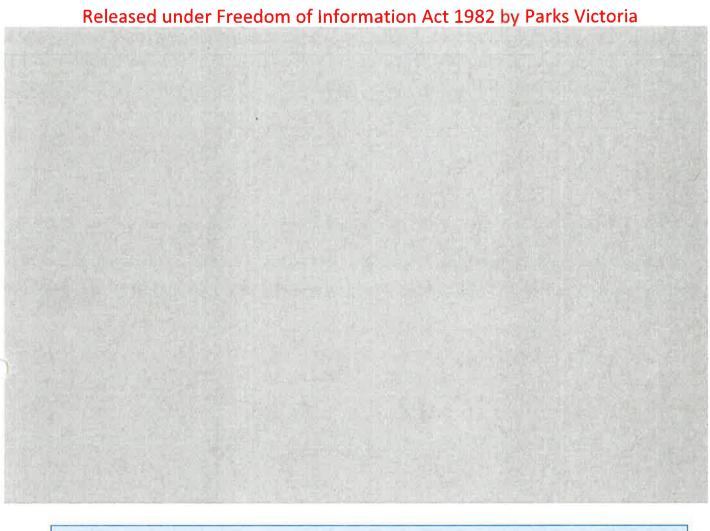
Gunditj Mirring Traditional Owners Aboriginal Corporation - Damein Bell (CEO)



Apologies: First Nations Legal and Research -







H. Rock Climbing

Next steps

- 20. Develop a range of information products including mapping of 8 impacted sites, signage and communications etc
- 21. Plan for increasing capacity to protect Aboriginal cultural heritage including through new authorisation powers for PV staff, additional resources for enforcement, potential collaboration with surrounding RAPs, role of the statewide Rock Art Cultural Heritage Protection Specialist
- 22. Establishment of and support for the Stakeholder Reference Group
- 23. Planning for updating the Park Management Plan
- 24. Consideration of the need for a statewide strategy/approach to rock climbing.

Next meeting:

10am -12.30pm, Wednesday 20 March 2019, Parks Victoria Office, Halls Gap

Followed by lunch, meet and greet, and Walk on Country for EOI respondents

Action	Responsibility	Due Date
	(Malarka)	10,51
	TO SALE	
Rock Climbing	E	
27. Develop a range of information products - including mapping of 8 impacted sites, signage and communications etc.		
28. Plan for increasing capacity to protect Aboriginal cultural heritage – including through new authorisation powers for PV staff, additional resources for enforcement, potential collaboration with surrounding RAPs, role of the statewide Rock Art Cultural Heritage Protection Specialist	100	
29. Establishment of and support for the Stakeholder Reference Group		
30. Planning for updating the Park Management Plan		
31. Consideration of the need for a statewide strategy/approach to rock climbing.		



From:

Simon Talbot

Sent:

Thursday, 7 February 2019 4:38 PM

To:

jamie lowe

Cc:

Subject:

Parks Victoria Letter re Rock Art at Grampians National Park

Attachments:

SBOUL10-PRN19020716120.pdf

Dear Jamie,

I trust this email finds you well.

Please find attached our letter to Rock Art at Grampians National Park.

Should you have any queries, please do not hesitate to contact me.

Regards,

Simon Talbot

Chief Operating Officer

Parks Victoria

Level 10, 535 Bourke Street, Melbourne VIC 3000

www.parks.vic.gov.au



Parks Victoria Level 10, 535 Bourke St Melbourne Victoria 3000 Telephone (03) 8427 2456 www.parks.vic.gov.au ABN 95 337 637 697

7 February 2019

Jamie Lowe
Eastern Maar Aboriginal Corporation

Dear Jamie,

I refer to your meeting on 19th November 2018 with and others from Parks Victoria where the impacts of rock climbing, bouldering and associated activities in the Gariwerd landscape were discussed.

Parks Victoria recognises that management practices are required to better deal with changed activities and levels of activity in the landscape inclusive of the Grampians National Park. The Executive Management Team has directed measures be implemented to ensure compliance with our legislative responsibilities as a land manager, which are:

- To put the special protection zones set out in the current management plan in place.
- To close some areas adjacent to the special protection zones where there is evidence of potential harm to and conflict with Aboriginal cultural sites, significant flora and fauna or other park values.
- To prohibit any new route development in sensitive areas in the Gariwerd landscape, inclusive of the Grampians National Park and surrounding protected areas, until further notice.

We have developed digital maps of the areas affected by these measures, which we will make available to the public, as well as signposting these zones on the ground.

We are scoping the work required to signpost all zones and will start with designing signposting for eight areas where our assessments have identified there have been impacts to park values including Aboriginal cultural sites, significant flora and fauna. We expect signs will begin to be installed from 1 March 2019 and Parks Victoria will keep you informed as to the progress of this work.

When the signposting works are completed, Parks Victoria will commence issuing infringement notices to any person who is not complying with the regulations that apply on the parks estate. This will include offence provisions relating to removing vegetation, damaging or defacing rocks, and construction of informal walking tracks, which are all activities that contravene the *National Parks Regulations 2013*.



As well as these measures, Parks Victoria will be working in partnership over coming months with you and other Traditional Owners as well as rock climbing groups, and other park enthusiasts to continue to address and minimise impacts of rock climbing activities on environmental and cultural values. We will be:

- Establishing a stakeholder reference group to work in partnership with Parks Victoria to respond to the immediate risks and impacts and to drive change.
- Commencing the formal process to review and amend the current management plan for the Grampians National Park.
- Producing fact sheets to assist visitors to understand the park values and how they can behave in a manner that will avoid causing harm.

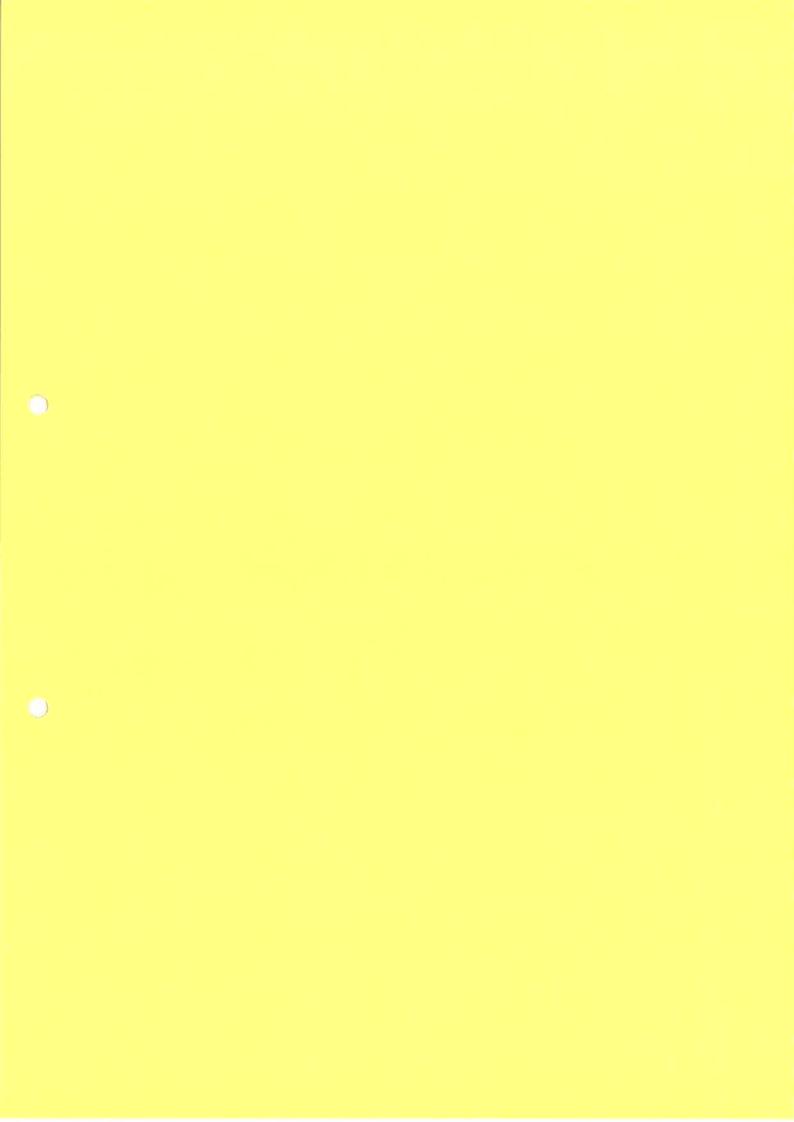
I understand that your preference is not to participate in the reference group and to continue to engage with Parks Victoria through the partnership mechanisms currently in place. We will of course keep you informed of the progress we are making as we implement the measures we have outlined.

In the meantime, I look forward to meeting with you in Halls Gap on 12 February 2019 to continue our discussions.

Should you require further advice on this matter please contact

Yours sincerely

Simon Talbot Chief Operating Officer



From: Simon Talbot
Sent: Simon Talbot
Thursday, 7 February 2019 4:42 PM

To: Damein Bell
Cc: Maria Pizzi

Subject: Parks Victoria Letter re Rock Art at Grampians National Park

Attachments: SBOUL10-PRN19020716121.pdf

Dear Damein,

I trust this email finds you well.

Please find attached our letter re Rock Art at Grampians National Park.

Should you have any queries, please do not hesitate to contact me.

Regards,

Simon Talbot

Chief Operating Officer

Parks Victoria

Level 10, 535 Bourke Street, Melbourne VIC 3000 www.parks.vic.gov.au



Parks Victoria
Level 10, 535 Bourke St
Melbourne Victoria 3000
Telephone (03) 8427 2456
www.parks.vic.gov.au
ABN 95 337 637 697

7 February 2019

Damein Bell Gunditj Mirring Traditional Owner Aboriginal Corporation PO Box 216 HEYWOOD 3304

Dear Damein,

I refer to your meeting on 19th November 2018 with and others from Parks Victoria where the impacts of rock climbing, bouldering and associated activities in the Gariwerd landscape were discussed.

Parks Victoria recognises that management practices are required to better deal with changed activities and levels of activity in the landscape inclusive of the Grampians National Park. The Executive Management Team has directed measures be implemented to ensure compliance with our legislative responsibilities as a land manager, which are:

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We have developed digital maps of the areas affected by these measures, which we will make available to the public, as well as signposting these zones on the ground.

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When the signposting works are completed, Parks Victoria will commence issuing infringement notices to any person who is not complying with the regulations that apply on the parks estate. This will include offence provisions relating to removing vegetation, damaging or defacing rocks, and construction of informal walking tracks, which are all activities that contravene the *National Parks Regulations 2013*.



As well as these measures, Parks Victoria will be working in partnership over coming months with you and other Traditional Owners as well as rock climbing groups, and other park enthusiasts to continue to address and minimise impacts of rock climbing activities on environmental and cultural values. We will be:

- Establishing a stakeholder reference group to work in partnership with Parks Victoria to respond to the immediate risks and impacts and to drive change.
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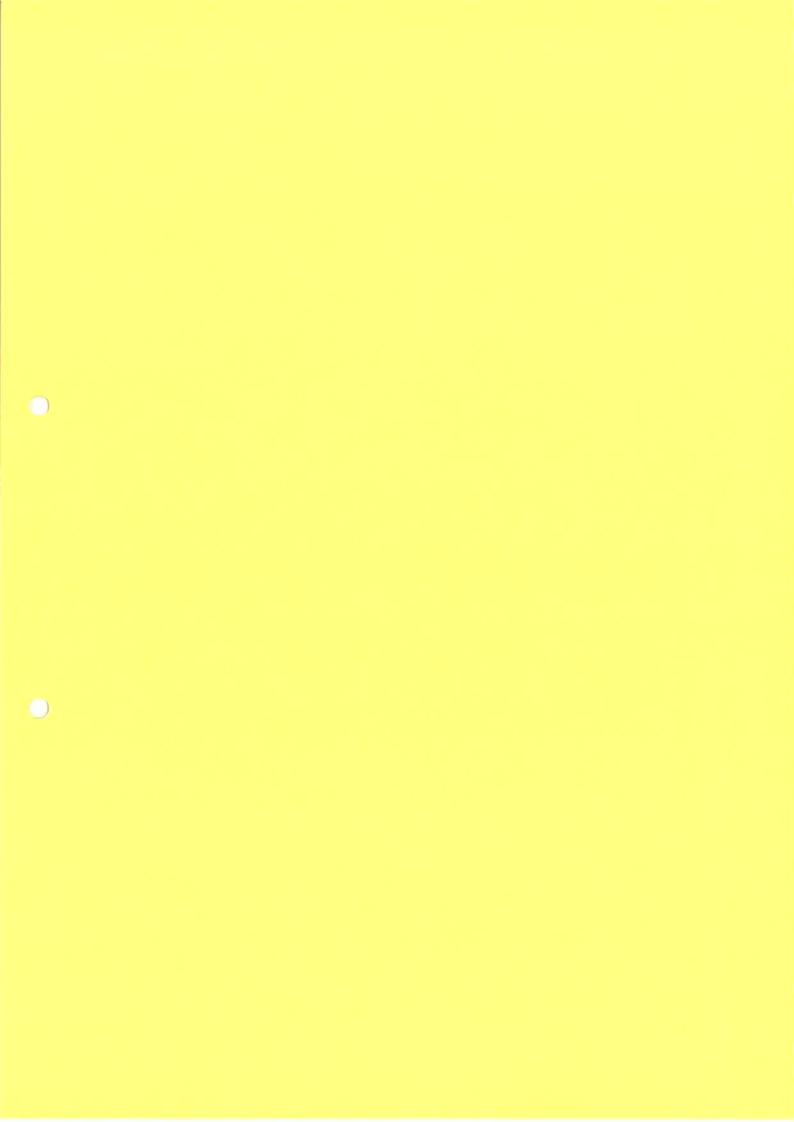
I understand that your preference is not to participate in the reference group and to continue to engage with Parks Victoria through the partnership mechanisms currently in place. We will of course keep you informed of the progress we are making as we implement the measures we have outlined.

In the meantime, I look forward to meeting with you in Halls Gap on 12 February 2019 to continue our discussions.

Should you require further advice on this matter please contact

Yours sincerely

Simon Talbot
Chief Operating Officer



From:

Simon Talbot

Sent:

Thursday, 7 February 2019 4:45 PM

To:

Michael Stewart

Cc:

Maria Pizzi

Subject:

Parks Victoria Letter re Rock Art at Grampians National Park

Attachments:

SBOUL10-PRN19020716122.pdf

Dear Michael,

I trust this email finds you well.

Please find attached our letter re Rock Art at Grampians National Park.

Should you have any queries, please do not hesitate to contact me.

Regards,

Simon Talbot

Chief Operating Officer

Parks Victoria

Level 10, 535 Bourke Street, Melbourne VIC 3000 www.parks.vic.gov.au



Parks Victoria
Level 10, 535 Bourke St
Melbourne Victoria 3000
Telephone (03) 8427 2456
www.parks.vic.gov.au
ABN 95 337 637 697

7 February 2019

Michael Stewart
Barenji Gadjin Land Council Aboriginal Corporation

Dear Michael,

I refer to your meeting on 19th November 2018 with and others from Parks Victoria where the impacts of rock climbing, bouldering and associated activities in the Gariwerd landscape were discussed.

Parks Victoria recognises that management practices are required to better deal with changed activities and levels of activity in the landscape inclusive of the Grampians National Park. The Executive Management Team has directed measures be implemented to ensure compliance with our legislative responsibilities as a land manager, which are:

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- Commencing the formal process to review and amend the current management plan for the Grampians National Park.
- Producing fact sheets to assist visitors to understand the park values and how they can behave in a manner that will avoid causing harm.

Our work is starting with the Grampians National Park but we will also be working in partnership with the Barengi Gadjin Land Council to address rock climbing where it is impacting cultural values in the surrounding Gariwerd landscape. We recognise that there are impacts on important cultural values in sensitive places in the Black Range State Park, Mount Arapilies-Tooan State Park, Red Rock Bushland Reserve and Mount Talbot Scenic Reserve.

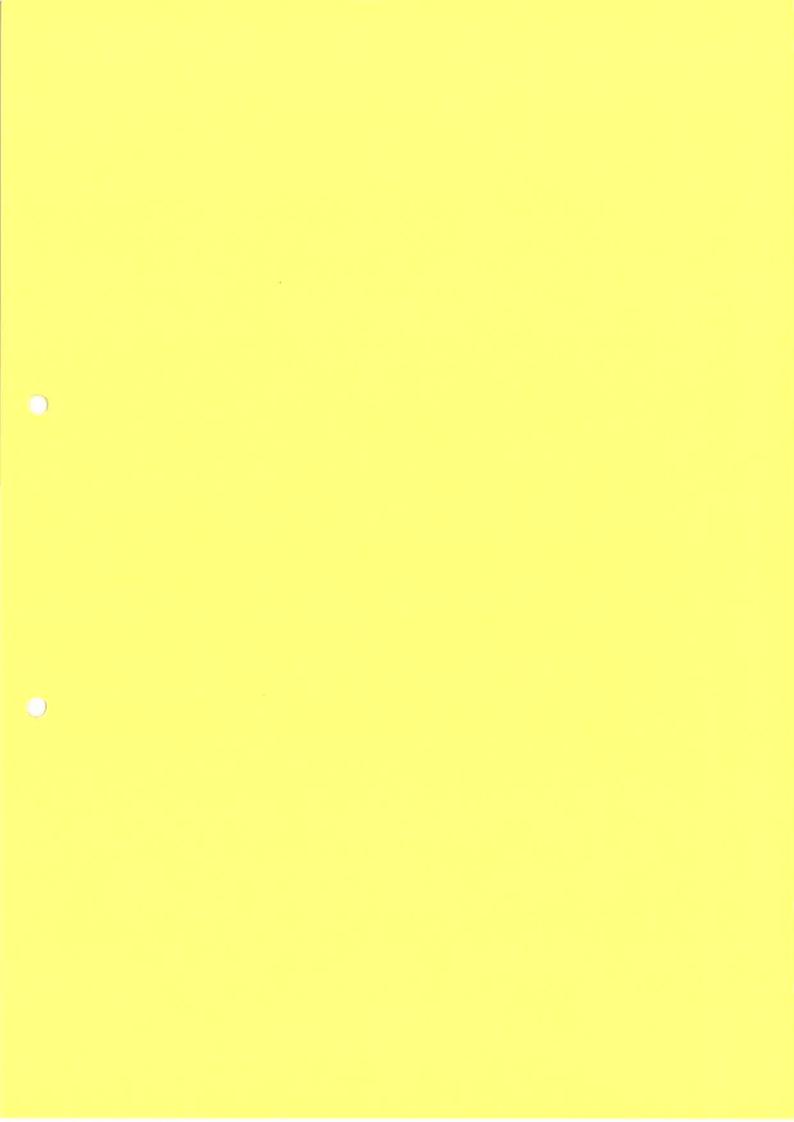
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In the meantime, I look forward to meeting with you in Halls Gap on 12 February 2019 to continue our discussions.

Should you require further advice on this matter please contact

Yours sincerely

Simon Talbot Chief Operating Officer



From:

Damein Bell

Sent:

Friday, 8 February 2019 9:12 AM

To:

Simon Talbot Maria Pizzi

Cc: Subject:

RE: Parks Victoria Letter re Rock Art at Grampians National Park

Hi Simon and Maria

I also had a letter from the rock climbing people that I forwarded onto EMAC, BGLC and FNLRS.

We can catch up on Monday and Tuesday next week.

Thanks

Damein Bell

CEO

GUNDITJ MIRRING TRADITIONAL OWNERS ABORIGINAL CORPORATION RNTBC PO Box 216, Heywood VIC 3304

www.gunditjmirring.com

From:

Simon Talbot

Sent: Thursday, 7 February 2019 4:42 PM

To: Damein Bell

Cc:

Subject: Parks Victoria Letter re Rock Art at Grampians National Park

Dear Damein,

I trust this email finds you well.

Please find attached our letter re Rock Art at Grampians National Park.

Should you have any queries, please do not hesitate to contact me.

Regards,

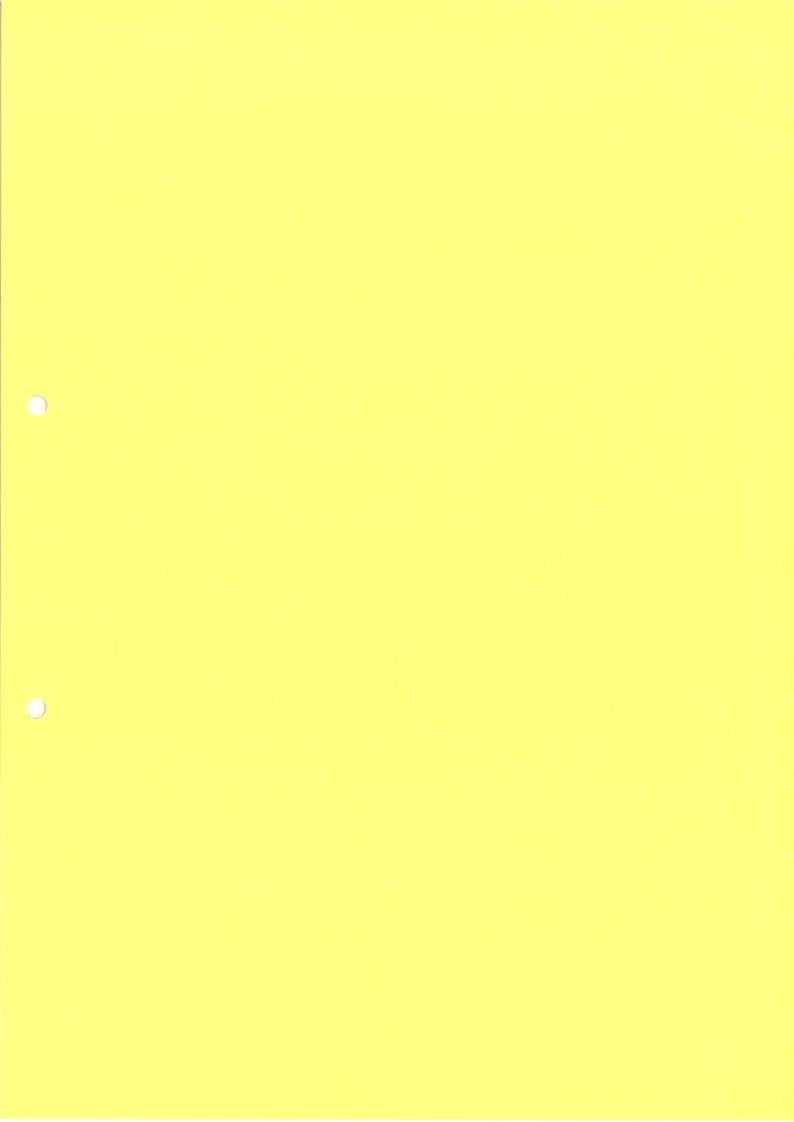
Simon Talbot

Chief Operating Officer

Parks Victoria

Level 10, 535 Bourke Street, Melbourne VIC 3000 www.parks.vic.gov.au

DISCLAIMER



From:

Maria Pizzi

Sent:

Friday, 15 February 2019 2:49 PM

To:

Damein Bell; @bglc.com.au; @easternmaar.com.au

Subject:

For your information: Parks Victoria takes steps to protect environmental and cultural

heritage from climbing impacts - STATEMENT

Dear Damein, Jamie and Michael

Further to the discussions we had in Halls Gap this week, Parks Victoria has now released the public statement below explaining decisions taken in the Grampians National Parks affecting access to some rock climbing routes.

I have provided a copy of the statement below and am happy to provide any further information that may be useful to you, if required.

Thanks for your assistance and advice over the two days we met this week.

Public statement //...

In the coming months, Parks Victoria will be focussed on ensuring eight key locations in the western part of the Grampians National Park are protected and will be asking all climbing activity to cease in these areas indefinitely.

Parks Victoria is committed to conserving Victoria's natural and cultural assets. In recent years, rock climbing in the Grampians has significantly increased and contemporary rock climbing activities, such as bolting, have emerged creating significant risk to Aboriginal cultural heritage, rock faces and vegetation and visitor safety.

In the first instance from March, signage will be installed and compliance activity will take place in eight key locations. There are still hundreds of known climbing areas still available for international climbers and other visitors to enjoy and only a small percentage are affected. Detailed maps and information sheets are being prepared to assist and inform climbers. There are no change to all main visitor sites and they will continue to remain open.

Parks Victoria are working with partners, stakeholders, local businesses, Licenced Tour Operators and park users to implement a compliance strategy for certain locations within the current Special Protection Areas.

Under the existing Grampians National Park Management Plan, rock climbing in Special Protection Areas is a prohibited activity however we recognise this plan is 10 years old and we need to review these areas in partnership with key stakeholders which may result in changes to boundaries. Further to the Special Protection Areas identified in the current management plan, 29 additional areas have also been set aside as Special Protection Areas, in which climbing is prohibited to protect their cultural and natural values. The materials being prepared will also have details of these places.

Nationally listed for its biodiversity and cultural heritage, the Grampians National Park was established in 1984 to protect environmental and cultural values of national significance.

The park is the most important area for floristic richness and endemism in eastern inland Australia, with more than 800 indigenous plant species; it is home to one third of the Victoria's flora. It also supports a wide range of wildlife with more than 40 mammals and an abundance of bird species.

Known by Traditional Owners as Gariwerd, the Grampians National Park and other protected areas such as Black Range, Mount Arapiles-Tooan, Red Rock and Mount Talbot, contain the majority of surviving Aboriginal rock art sites in southeast Australia.

Parks Victoria has legislative requirements to protect these natural and cultural values and we're committed to acting on our obligations.

Quotes, attributed to Simon Talbot, Chief Operating Officer, Parks Victoria

"Our main priority is protecting the natural and cultural values of this precious landscape that is the Grampians National Park. We are working to support climbers and other park users to find alternate locations in the Grampians to climb. We'll also work with local businesses and Licenced Tour Operators over the coming months to clearly identify where climbing can continue."

"A stakeholder reference group will be established to involve the community and rock climbers in next steps and the part we can all play in protecting our cultural heritage and environment and to identify where in the Grampians climbing can continue."

Maria Pizzi

Director Managing Country Together

Parks Victoria

Level 9, 535 Bourke Street, Melbourne VIC 3000 www.parks.vic.gov.au

I acknowledge the traditional Aboriginal owners of country throughout Victoria and pay my respect to them, their culture and their Elders past, present and future