

North Central Regional Catchment Strategy Discussion Paper

Theme: Indigenous People of North Central Victoria

1. Preamble

The North Central Regional Catchment Strategy (RCS) is the principle framework for land, water and biodiversity management in North Central Victoria. This discussion paper has been written to assist in the development of the North Central RCS. The discussion paper attempts to articulate our current understanding of particular issues or assets including setting priorities and will be used to seek feedback and guide future direction setting in the RCS.

Aboriginal Heritage

Throughout North Central Victoria, the landscapes have been embedded with the physical imprint and spiritual connections of thousands of generations of Aboriginal people. The cultural, archaeological and scientific significance is of immense importance to Aboriginal people and for the most part the benefits of this knowledge is unknown to the broader catchment community.

Aboriginal cultural heritage remains *in situ*, predominately in remnant patches of native vegetation. However, cultural sites can still be located within highly modified landscapes. European settlement has had a significant impact on the land, biodiversity and water has profoundly affected traditional owner's custodial role, to care for country in a way that was necessary for the health and wellbeing of all life.

All land and waters within the catchment are important to the traditional owners. These areas are important for various reasons including obtaining sustenance, expressing themselves artistically, passing on creation stories and cultural values, engaging in conflict, establishing alliances and social networks, trading goods, celebrating rites of passage and committing the departed to their final resting places.

Underpinning these material aspects of Aboriginal cultural heritage are intangible places where there may be no physical evidence of past cultural activities. These include places of spiritual or ceremonial significance, places where traditional plant or mineral resources occur, or trade and travel routes.

The primary source of cultural knowledge (intellectual knowledge) are traditional owners. Information about such places may be passed down from one generation to the next. Secondary sources of information relating to ethnohistory and cultural heritage survive in nineteenth century documents and records.

The area now known as the North Central CMA Region is the traditional lands of a number of language groups. The Dja Dja Wurrung language group southern boundary was the Great Diving Range, the headwaters of the Campaspe, Loddon, Avoca and Richardson Rivers and extending north to Lake Buloke, east to Big Lake Boort and south east to Mitiamo continuing south along Piccanniny Creek (Bendigo Creek).

Neighbours to the north are Barapa Barapa people which is bounded by the Murray and Campaspe rivers in the east and from Quambatook to Bendigo in the west.

Wamba Wamba country lies between Swan Hill in a southwesterly direction, north of Ultima to west of Lalbert Creek; south to Towaninny and Quambatook; and northeast to Reedy Lake, located north of Kerang.

Yorta Yorta have interests at the eastern end of Gunbower Island, south east to Kow Swamp and continues to the Campaspe River and beyond this catchment

Taungurung people have interests around Woodend North, north to Redesdale and Lake Eppalock, then following the Campaspe River to the Bendigo-Murchinson Road and extends east beyond the catchment. (See Appendix XX Map of Native Title Groups and Registered Aboriginal Parties)

Traditional Owners and Country

Traditional owners often express being born from the land, or that they belong to the land or land and people are one. Aboriginal culture has a basis founded on respect and value all that exists within in. The manifestation of ancestral spirits exists everywhere in plants, animals and ecosystems. Spirit and identity are at the core of Aboriginal connection to land.

Country has a life force, an energy, *country* speaks and hears. *Country* can be described as land, water (ground and surface water), all living things, the cosmos and subterranean elements like soils and stone.

The physical health of *country* can effect the integrity of Aboriginal heritage. Poor environmental health has a direct correlation with catchment community health; this is well understood within Indigenous populations world wide. Prior to settlement, *country* was managed using a knowledge system and social structure that enabled a sustainable lifestyle over many thousands of generations.

Aboriginal peoples' value of water is sacred and understood as necessary for survival. Water was afforded protection by Aboriginal lore, which provided a system of sustainable management ensuring healthy people. Changes in water regimes, surface water and ground water quantities and quality is of great concern to community. More recently traditional owner groups interests in water has come to the forefront, partly due to the Murray Darling Basin Authority's draft Basin Plan. There is a need to better understand the principles and requirements for cultural flows as well as greater engagement on the delivery and monitoring of water resources.

Key Policy and Legislation

The key policy document that guides government action to address the social, economic and cultural disadvantages for indigenous people is the Victorian Indigenous Affairs Framework (VIAF) 2010 – 2013. The Victorian government is fostering a partnership approach between Indigenous community controlled services, indigenous networks and communities and government and mainstream service providers. Critical to closing the gap is support for self determined sustainable development, ensuring greater participation in our economy. The VIAF outlines a clear plan to guide government action to address local issues at a local level by supporting the establishment of Local Indigenous Networks (LIN). Presently, there are three LINs within the north central area Swan Hill, Kerang and Bendigo. LIN's are supported by the Department of Community Planning and Development.

The primary legislation for the protection of Aboriginal cultural heritage in Victoria is the Aboriginal Heritage Act, 2006 and Aboriginal Heritage Regulations, 2007. The main purpose of this Act is to provide for the protection of Aboriginal cultural heritage in Victoria.

The Aboriginal and Torres Strait Islander Heritage Protection Act, 1984 is Commonwealth legislation, the purpose of which is preservation and protection from desecrations of areas and objects in Australia and in Australian waters, being areas and objects that are of particular significance to Aboriginals in accordance with Aboriginal tradition.

Native title is the recognition in Australian law that some Indigenous people continue to hold rights to their lands and waters, which come from their traditional laws and customs. The purpose of the Native Title Act, 1994 is to provide a process through which Indigenous Australians could lodge applications seeking a determination of native title. Similar to the Native Title Act is the Traditional Owner Settlement Act, 2010 which within Victoria provides for an out-of-court settlement of native title and delivery of land justice. Currently within the region there are two settlements in the process of negotiation between the State and involving

the Dja Dja Wurrung Peoples and the Wamba Wamba Barapa Barapa Wadi Wadi Peoples, of north central and north western Victoria. Agreement is likely during the early life of the renewed RCS and will provide both clarity and new opportunities for building relationships and creating employment, particularly for working on country.

Complimentary legislation includes the following:

[Racial Discrimination Act 1975](#)

[Australian Human Rights Commission Act 1986](#) .

North Central Aboriginal and Torres Strait Island Community (ATSI)

In identifying traditional owners we must also acknowledge other indigenous people who live in the north central region. The Australian government recognise them as the original custodians who, either by choice or circumstance, do not live on their traditional lands. The wave of history, and government policy that mandated the removal and relocation of ATSI peoples within Australia and often over vast distances, has created rich and diverse communities. ATSI people recognise and respect the unique place that traditional owners have in a changing world, still observing their own particular cultural practices where possible as well as supporting traditional owner aspirations. 'Closing the Gap' or addressing the situational disadvantage of ATSI communities can be achieved through greater awareness of community concerns and aspirations for the future. ATSI people want to participate in local economy's and contribute to the social fabric of north central communities.

ATSI people have much to contribute and have many and varied interests, however one's culture and identity is often the most valued and critical element for individuals and community health and wellbeing. Many communities around Australia celebrate National NAIDOC Week as an opportunity to highlight the successes and achievements of communities. Many non-indigenous people have passive and active roles that support ATSI people in local communities – uncovering shared histories, advocating on respect for shared values social inclusion into the future.

North Central Regional Catchment Strategy

The North Central Regional Catchment Strategy (RCS) is the key planning document that will set regional priorities for the future management of natural resources across the North Central CMA region.

The RCS will cover a six-year period and aims to provide focus, coordination and direction for all natural resource management work in the region. It will strengthen the links between rivers, landscapes and people in this unique region.

A key objective of the RCS is to recognise the rights and interests of Aboriginal people and the unique role Aboriginal people have in protecting and enhancing our valued environment within the North Central Region. The RCS will also set out some principles about how to involve Aboriginal people in protecting and enhancing the natural resources of the region.

Principles

The following principles have been adopted from the DSE "Indigenous Partnership Framework" and are proposed to be applied for the implementation of the North Central RCS.

1. **Respect and recognition:** Approach all aboriginal issues with the understanding that the region's Traditional Owners and Indigenous Victorians have a continuous connection to Country and they:
 - Have a valuable contribution to make in land, water and natural resource management
 - Can fulfil a uniquely integrated role in land, water and resource management practices

2. **Caring for Country:** Actively seek to develop and support opportunities for the regions Traditional Owners and Indigenous people to connect and care for their Country.
3. **Partnership and Capacity Building:** Through projects and activities, the CMA and partner organisations will
 - Include an Aboriginal consultation component that reflects a meaningful engagement process

North Central RCS Actions

There is a need to better involve local indigenous groups in NRM, to obtain *free, prior and informed consent* and to better understand the cultural significance and value of the regions natural assets to local groups. This can be undertaken by:

- Identifying and understanding the aspects of the natural environment in north central Victoria that are of cultural, social, spiritual and economic value
- Better aligning the RCS with local initiatives such as Whole of Country Plans. Local Indigenous Networks Community Plans and other strategic plans that identify the developmental needs of traditional owners and other Indigenous groups.
- Support a range of events, gatherings and community based initiatives that have measurable benefits to the environment and community.
- Sponsor and advocate on behalf of indigenous community interests at a corporate and community level.
- Support partnerships between traditional owners and other indigenous groups to improve the overall capacity of our catchment community to be engaged.
- Explore ways to integrate Aboriginal knowledge systems into existing knowledge systems and catchment management.
- With guidance from traditional owners and the ATSI community, increase cultural competency across all NRM business in the region

GLOSSARY

Free, prior and informed consent: is at the core of self-determination. It's about being engaged in a genuine way, from the beginning of a project in a way that is relevant to traditional owner groups and their own decision making process.

This principle is protected by international human rights law as “all peoples have the right to self-determination” and linked to the right to self determination, “all peoples have the right to freely pursue their economic, social and cultural development”.

Indigenous: The term is used to refer to a person or group who may be of either Aboriginal or Torres Strait Islander descent.

Indigenous community: A self-identifying group of indigenous people, in some cases including traditional owners, native title holders and applicants, Aboriginal and Torres Strait Islanders from other parts of Victoria and Australia.

Registered Aboriginal Party: A body that is registered Under Part 10 of the *Aboriginal Heritage Act, 2006*. RAP's have a legislative authority and statutory functions with respect to Aboriginal cultural heritage.

Traditional Owners: A group of Aboriginal people who, through descent, have a spiritual and custodial relationship with an area of land. Traditional owners have the custodial right to *speak for country*.

Lore: The learning and transmission of a cultural heritage. Ways of knowing and the act of passing on knowledge in a culturally appropriate manner. Rules to live by are expressed as lore.