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THE FUNDING AND RESOURCING OF NATIONAL PARKS AND OTHER  
PROTECTED AREAS IN  
AUSTRALIA

This submission to the Senate is concerned with

1. the values and objectives of Australia's national parks;
2. threats to the objectives and management of our national parks;
3. the responsibilities of governments with regard to the creation and management of national parks;
4. the record of state governments with regard to the creation and management of national parks.

It will address specifically the influence of the states in this area of responsibility, and especially the level of incompetence of some states in dealing with heritage.

It is generally agreed internationally that heritage consists of two components: natural and cultural heritage. The latter is usually agreed to include all those cultural remains and monuments that are found on the territory over which the nation in question claims sovereignty, irrespective of who may have created this heritage (which in many cases cannot even be known with certainty). A nation is responsible for the protection, preservation or maintenance of such heritage by virtue of its sovereignty.

In Australia it is known that for more than 99.5% of the duration of human occupation of this continent, all cultural heritage was created by Aboriginal people. Hence it is the major, and the most distinctive cultural

heritage of this country. It is the only form of indigenous cultural heritage, in contrast to transplanted or imported heritage (such as Macassan, British and so forth).

It would then follow that Aboriginal cultural heritage would be well appreciated, well cared for, and would form a very major content of our National Parks and other conservation areas. By far the most prominent form of indigenous cultural heritage is in the form of rock art sites dotted across the continent, and they are the most quintessentially Australian form of cultural patrimony we have. One may agree or disagree with the proposition that this is suitably reflected in the national policies, but it is perhaps fair to note that attempts have been made to that effect in most of the states and territories. Indeed, there are some notable success stories where prominent Aboriginal cultural heritage sites have become highly valued national icons. Here we wish to draw attention to those states where significant problems exist, and how the National Parks system has failed. Primarily we are concerned with the State of Western Australia (WA).

WA has in recent years emerged as not only an international basket case in cultural heritage management, it has after the collapse of the former Taliban regime of Afghanistan taken over the dubious title of the world's worst serial offender in state vandalism of cultural heritage. WA has a long-term record of destruction and neglect of cultural heritage that is truly appalling. We will only cite a few examples here, but emphasise that this is an endemic problem in a State whose administration is out of step with the entire rest of the world. As recently as April 2005, the WA Heritage Council thought that 'heritage' refers only to European, and most especially British heritage. After we pointed out that this form of cultural apartheid is unknown anywhere else, the Council requested the Solicitor General's office to clarify its role and responsibility. The successive Ministers for Indigenous Affairs, on the other hand, who have some legislative power over indigenous cultural remains, have abrogated that responsibility for decades, rubber-stamping any application for destruction of rock art and megalithic sites. So in effect, nobody accepts responsibility for Aboriginal heritage in WA, and this is reflected in the most flagrant rock art destruction program in the world. This is not an exaggeration, this is fact. We ask you to consider the following examples:

A. The Dampier Archipelago contains the world's largest concentration of rock art, well over a million petroglyphs. More than 100,000 have been destroyed by the state government since 1964, and the entire rest is subjected to gradual chemical destruction from a cocktail of acidic and poisonous substances. The Dampier industrial complex (already the largest polluter in Australia) was built in error at its heritage location (which includes the most sacred sites in Australia and the largest concentration of megalithic arrangements in the country), it could have been established at

any of numerous alternative locations along the long coast of WA. This initial mistake was compounded in 2001 by the present state government when it decided to treble the petrochemical industries and their emissions. The most recent wholesale destruction of rock art and stone arrangements occurred in 2004 and 2005. Currently, Woodside Petroleum wants to establish a new multi-billion dollar plant at Dampier, even though it has a perfectly suitable alternative site at Onslow. All other proponents, about a dozen of them, have left Dampier because it is unsuitable and because of the cultural heritage there.

B. The second major rock art province of WA is in the Kimberley. Although it is world-famous, there is no protection, no involvement of cultural heritage agencies, and it has instead been bought up by wealthy individuals who claim to safeguard its protection, but in fact use it for a rapidly growing, unmonitored tourism industry. Managing this magnificent place should have been the role of NPWS, and it would have been in another state or territory — but not in WA. This is a significant shortcoming of the federal management of national heritage. Much or most of the Kimberley region is poorly suited for cattle, which are only destroying a delicate environment; it should have long been a major National Park. Much the same, conversely, applies to Cape York Peninsula: massive concentrations of rock art, limited protection, uneconomical cattle grazing destroying the environment, inadequately developed tourism.

C. Some of the most important non-indigenous cultural heritage in WA consists of evidence of very early Dutch presence (WA used to be called New Holland). It consists of two forms: Dutch shipwrecks (five found so far, two more to be found), and evidence of Dutch settlement on the mainland. The first are very well protected (only because of the treasure they comprise). The settlement evidence is not just unprotected and of no interest to the Heritage Council (not being British), it is being actively destroyed. Most particularly, there are now four known pre-British rock inscriptions at or near the WA coast. One has been destroyed by the WA state geologist in the 1970s, One has been partly destroyed and defaced in the 1950s (it has since been examined microscopically and declared authentic), and the locations of the two others have to be kept confidential for fear that the government's agents will also destroy them. This is an intolerable situation and shows that the relevant authorities in WA exist in some kind of a time warp: Dutch claims might impact upon sovereignty.

These examples show that the management of non-British cultural heritage is entirely inadequate in WA. The relevant authorities do not even seem to understand the meaning of “cultural heritage”. There is no national park in the state of WA that was created specifically to protect cultural heritage; the fact that some WA national parks comprise such heritage is purely accidental.

On a much smaller scale, we detect the same type of problem in Tasmania. The

recent reports about the destruction of rock art near Arthur River, on Tasmania's west coast, are part of an ongoing pattern. For instance, in 1994, vandals added fake new petroglyphs to Ringing Rock at Trial Harbour; in 1998, a petroglyph was expertly sawn from the rock of Sundown Point; the same site was spray-painted in 2000; and now we have the serious destruction at Greenes Creek, south of Temma. This is only part of the ongoing vandalism of Tasmanian rock art, which is indicative of the state government's impotence in cultural heritage management. And again, the solution appears to be a broadening of the influence and activity of the National Parks system. The federal NPWS does have the demonstrated competence to deal with these matters effectively, but the fragmented management of heritage properties is a significant hindrance to the effective implementation of national policies.

We surely do not need to remind the federal authorities responsible for heritage protection of our international obligations. For instance the state agencies of WA and Tasmania are in clear breach of several parts of the Unesco Declaration Concerning the Intentional Destruction of Cultural Heritage, including its Article VI:

"A State that intentionally destroys or intentionally fails to take appropriate measures to prohibit, prevent, stop, and punish any intentional destruction of cultural heritage of great importance for humanity, whether or not it is inscribed on a list maintained by UNESCO or another international organization, bears the responsibility for such destruction, to the extent provided for by international law."

Having recently spent a week with Unesco in France to help that body draft the revised rock art protection guidelines for all Member States (they will be announced later this year) I can assure you that they would also be in breach of them. If Tasmania lacks the resources and expertise, as appears to be the case, it is necessary that the federal agencies step into the breach and ensure that Tasmania's (and Australia's) obligations under international law are complied with.

In the case of WA the issue is more complex, and is determined more by structural failures and outdated attitudes. But again, the solution is to establish more of the prime heritage properties as national parks, and to make up for past biases by positive discrimination in favour of properties with vast cultural heritage resources. The two prime examples are the Dampier Archipelago and certain parts of the Kimberley. They should be immediately admitted to the list of national parks, and the federal department must take charge of them.

The values and objectives of Australia's national parks are both natural and cultural, and they are intended to include the nation's most visually

