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THE WATER HARVESTING LANDSCAPE OF BUDJ BIM AND LAKE CONDAH: WHITHER WORLD HERITAGE RECOGNITION

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ABSTRACT

In July 2004 the Budj Bim National Heritage Landscape was inscribed onto the National Heritage List. The place accorded with the criterion of A. Events, Processes (in demonstrating a place of Indigenous-European colonization conflict), B. Rarity (in demonstrating the context, historical and philosophy of benevolence of Governments to Indigenous people), F. Creative or technical achievement (in demonstrating technical accomplishment in construction the system), and, I. Indigenous tradition (in demonstrating longevity and continuity of cultural practices). Such affords Budj Bim, that hosts a unique Indigenous water harvesting and aquaculture infrastructure system dating some 7,000-10,000 years within a country that the Gunditjmara have managed for some 20,000-50,000 years, national standing. Within the lands gazetted is a complex and multi-faceted system that would today be categorised as a major integrated landscape planning and catchment management scheme that includes demonstrable major site engineering, hydraulic engineering, and aquaculture and water management scientific evidence and process knowledge and application.

Now listed, continuing objectives of the Gunditjmara, the custodians of the Budj Bim country, and a majority land owner of most of the Lake Condah complex, is to restore and heal this landscape, bring back its pre-colonial destroyed water systems and cultural landscape, but also progressively move towards a world heritage nomination for the landscape.

This paper considers the position of the Budj Bim National Heritage Landscape within National Heritage List and World Heritage List criterion, proposing a debate about merit and continuity of Indigenous science, technologies, and process. In doing so, it also reviews World Heritage places that are Indigenous-rich in their essence and values to better appreciate the position of both Budj Bim and recognised Indigenous water technologies and knowledge systems within these listings to better appreciate and inform this debate.

KEYWORDS

Lake Condah, environmental planning, world heritage, Indigenous systems, Gunditjmara, Budj Bim

INTRODUCTION

In 2004, under the new Australian heritage regime that replaced the former Australian Heritage Commission and its registrar, Minister Kemp inscribed the Budj Bim National Heritage Landscape (BBNHL) into the new National Heritage Register. The BBNHL became the first Indigenous
landscape included in this Register and it remains today the foremost Australian Indigenous landscape because of its unique assemblage of tangible and intangible evidence and values.

The only additional Indigenous landscapes inscribed have been the Brewarrina Aboriginal Fish Traps (Baiames Ngunnu) inscribed in June 2005, Kakadu National Park inscribed in May 2007 [noting that Kakadu National Park has been previously inscribed on the World Heritage List in three stages - 1981 (Stage 1), 1987 (Stages 1 and 2) and 1992 (Stages 1, 2 and 3)], the Uluṟu-Kata Tjuṯa National Park that was inscribed in May 2007 [noting that the Park was inscribed on the World Heritage List in two stages, initially for its outstanding universal natural values in 1987 and then for its outstanding universal cultural values in 1994], and Ngarrabullgan [Mount Mulligan] in Queensland inscribed in May 2011.

To the Gunditjmara, the traditional people and custodians of a ‘country’ that stretched across most of the lower south-west of the Western District of Victoria, embracing the localities of Portland, Hamilton, and Lake Condah today, this progressional discourse is about healing their ancestral responsibilities within the constructs of contemporary scenic and significance value systems. To appreciate this context it is important to comprehend the new Commonwealth heritage regime and the listing, then to comprehend the tangible and intangible values extant at the place, before understanding why, how and under what basis this progressional discourse is occurring.

This paper charts the National Heritage listing and deliberations in train as to a possible World Heritage nomination.

**NATIONAL HERITAGE AND THE BUDJ BIM HERITAGE NATIONAL HERITAGE LANDSCAPE**

The Australian National Heritage regime was introduced in 1993 with an intention to rationalise the huge inventory of registered heritage places that had been accumulated under the previous Australian Heritage Commission. To both the Commission, and the present Australian Heritage Council, established under the *Environment Protection and Biodiversity Conservation Act 1999* (*EPBC Act*), heritage comprises all the components that constitute Australia's identity - our spirit and ingenuity, our buildings, and our unique, living landscapes. Such is derived from our past, our living systems and aspirations, our patterns of lifestyle, and the narratives and artefacts that we are divesting to our future generations.

To assist in the identification and quantification of these components, heritage criteria, thresholds, and statutory listings were assembled to inform the identification and protection of places we, as an Australian community, wish to keep and pass to future generations. Such criteria, thresholds and listings are now the primary vehicles through which the heritage values of listed places are articulated, and guided in the formulation of their management policies. The criteria is set out in Table 1.

- **Table 1**
Australian National Heritage Criteria

a. the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history
b. the place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history
c. the place has outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history
d. the place has outstanding heritage value to the nation because of the place's importance in demonstrating the principal characteristics of:
   i. a class of Australia's natural or cultural places; or
   ii. a class of Australia's natural or cultural environments;
e. the place has outstanding heritage value to the nation because of the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group
f. the place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period
g. the place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
h. the place has outstanding heritage value to the nation because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history
   i. the place has outstanding heritage value to the nation because of the place's importance as part of Indigenous tradition.

The cultural aspect of a criterion means the Indigenous cultural aspect, the non-Indigenous cultural aspect, or both.


The National Heritage List comprises a list of places with outstanding natural, Indigenous or historic heritage value to Australia. The Council assesses if a nominated place possesses one or more of the nine National Heritage List criteria heritage values and advises the Minister for the Environment, Heritage and the Arts if it satisfies their assessment.

In terms of Budj Bim, the landscape and its nomination are geographically broken into two portions – the Mount Eccles portion and the Tyrendarra portion – but both are integral within the Gunditjmara perspective as being their Budj Bim landscape albeit possessing different successful criteria applicability. These two portions are depicted in the map associated with the National Heritage list gazetral documents.

The Mount Eccles portion was deemed as satisfying criteria a, b, f and i and the Tyrendarra portion satisfied criteria a and f. The Minister for the Environment and Heritage, David Alistair Kemp, on 20 July 2004, concluded that he was satisfied that Budj Bim possessed National Heritage value or values and pursuant to section 324J of the Environment Protection and Biodiversity Conservation Act 1999 instructed the places to be listed in the Schedule in the National Heritage List. Such occurred on the same day as the inclusion of the Royal Exhibition Building National Historic Place in Melbourne and the Dinosaur Stampede National Monument near Winton in Queensland.

In the case of Budj Bim the landscape was considered as possessing “outstanding heritage value ... because of the place's importance in the course, or pattern, of Australia's ... cultural history” (criteria a). Such conclusion was drawn from the physical evidence of the aquaculture systems and their
associated construction, use, continuing maintenance together with the place being a focus of cultural gatherings, Indigenous eel and fish cultivation practices, and the permanent society that sustained these systems resulting in stone architecture, aquaculture systems, and during colonisation period a landscape to launch attacks and seek refuges from the armed insurgence of European settlers and militia (http://www.environment.gov.au/heritage/laws/publicdocuments/pubs/105673.pdf, accessed 1st August 2011).

Second, the Budj Bim landscape was deemed as possessing evidence of “outstanding heritage value ... because of the place's possession of ... rare ... cultural history” (See Table 2, criteria b). This opinion was drawn the Commonwealth uniquely used its constitutional powers to vest land to an Aboriginal community through the instrument of the 1967 referendum that enabled the Commonwealth to enact the Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987 because the Victorian Government was unable to pass the same enabling legislation through its Upper House.

Third, the Budj Bim landscape was deemed as possessing evidence of “outstanding heritage value ... because of the place's importance in demonstrating a high degree of ... technical achievement at a particular period” involving the construction, maintenance and management of a “system of ponds, wetlands, channels, weirs and fish traps in the Mt Eccles/Lake Condah area” (See Table 2, criteria f).

Fourth, the Budj Bim landscape was deemed as possessing evidence of “outstanding heritage value ... because of the place's importance as part of Indigenous tradition” directly linked to the place and vulcanism as directly contained in Indigenous revelation narratives (See Table 2, criteria i).

In terms of the Mount Eccles portion and the Tyrendarra portion the above justifications hold application where the former was listed under criteria a, b, f and i and the latter was listed only under criteria a and f.

The most comparable Indigenous landscape in Australia that possesses pre-contact aquaculture systems is the Baiame’s Ngumnu being the Brewarrina Fish Traps on the Darling River in north-western New South Wales. This place also demonstrates advanced knowledge of engineering, physics, water ecology and animal migration to catch large numbers of fish in traps and is also steeped in legend. The fish traps, known as Ngumnu to the local Ngemba people, demonstrates how an ancestral being designed and created an important fishing venture that supported many Aboriginal communities in the Brewarrina region.

The Brewarrina fish traps continue to be visible in the Darling River today and were included in the National Heritage List on 3 June 2005 as satisfying criteria b, f, g and i (http://www.environment.gov.au/heritage/publications/about/pubs/national-heritage-brewarrina.pdf, accessed 1st August 2011).
The rationale of Brewarrina’s inclusion is that it meets criteria b, f, g and h demonstrating the same criteria for both Budj Bim and Baiame’s Ngunnhu with the only difference being the applicability of criteria g that concludes that “the place has outstanding heritage value ... because of the place's importance as part of Indigenous tradition” has been documented whereas it is a cultural realm that the Gundjimara have been reluctant to explain and document to the Australian community believing it is their cultural knowledge at this stage and has no formal bearing upon a National Heritage listing nor a World Heritage nomination (http://www.environment.gov.au/heritage/laws/publicdocuments/pubs/105778.pdf, accessed 1st August 2011.).

Baiame’s Ngunnhu is one of several demonstrations of Indigenous pre-contact hydraulic engineering expertise in Australia. Such mechanisms were directly linked to resource harvesting activities, often resulting in one community managing the resource but enabling regional sharing often necessitating the construction of ‘neutral territory’ and a codified set of sharing operational rules together with a distinctive cultural Dreaming story about its creation, rationale and management expectations as documented in the Baiame Ngunnhu example.

THE BUDJ BIM LANDSCAPE: VALUES AND MEANINGS

The BBNHL, around the Lake Condah and Mt Eccles area of south west Victoria contains one of Australia’s largest and oldest aquaculture systems which dates back thousands of years. Built on a volcanic lava flow formed by the eruption of Mt Eccles (Budj Bim) around 30,000 years ago, the landscape also contains permanent stone houses and modified wetlands. The extensive development of channel systems, fish and eel traps demonstrates that a sizeable Aboriginal community lived in the area and systematically farmed eels on a large scale. This provided the basis for the development of a settled society. The Mt Eccles/Lake Condah system is unique in Australia, and potentially on a world scale.

As landscape planners, the Gunditjmara continue to possess technical knowledge in freshwater aquaculture and hydraulic engineering, and have more recently engaged consultant engineers, natural resource management scientists and other technical expertise to corroborate and inform their own management strategies for land now under their ownership. Arising from some 60,000 year of occupancy, this knowledge and expertise includes sub-expertise specializations in architecture, sustainability and natural resource management curatorship (Gunditjmara with Wettenhall 2010; Reynolds 2005).

The beginning of this landscape, to the Gunditjmara, and its environment rotates around ancestral beings – part human, part animal – who brought life to this barren expansive continent (Gunditjmara with Wettenhall 2010). Their Dreaming stories record the journeys of these ancestral beings whom left narratives or physical representations in the landscape, as part of this transformative role. Temporally deep in the origins of the landscape, these stories are also integral in intermittent
reappearances that have cast new transformations and responsibilities into the landscape. As Eileen Albert, a Gunditjmara women, recounts,

"In the Dreamtime, the ancestral creators gave the Gunditjmara people the resources to live a settled lifestyle. They diverted the waterways, and gave us the stones and rocks to help us to build the aquaculture systems. They gave us the wetlands where the reeds grew so that we could make the eel baskets, and gave us the food-enriched landscape for us to survive (Albert in Gunditjmara with Wettenhall 2010: 7)."

In this setting, every aspect of the Budj Bim environment and landscape holds some meaning, sense of purpose and contains a library of oral narratives about Indigenous science and history.

To the Gunditjmara, the ancestral being *budj bim* is integral to this environmental creation. His presence resides in Mt Eccles, an erroneously colonial rocky outcrop that celebrates English aristocrat Eeles, where the doomed form of the mount is *budj bim*’s forehead. With the eruption of his head, lava spat out and flowed through his teeth in endless streams of red lava, creating the Tyrendarra lava flow. In the Dhauwurd wurrung language of the Gunditjmara, *budj bim* means “high head” and *tung att* means “teeth belong to it”. *Budj bim*’s journey and transformative acts link the Serra Range at Gariwerd (The Grampians) to the desolate isle of Deen Mar (Lady Julia Percy Island) in Portland Bay to Cape Bridgewater to the west, with Lake Condah in the centre, all of which mirror the lava flows that were released from *Budj bim* and nearby Tappoc (Mt Napier). Included in this lava field is the volcanic cone of Tappoc, and the foreboding granite escarpment of Mutt Te Tehoke (Mt Abrupt) that watches southwards over much of this landscape. Deen Mar, at the far southern and lowest end of the lava flow, is the final resting place of the spirits of the Gunditjmara people when they die. The head of *budj bim* itself is analogous to a Eurocentric sacred place because, to the Gunditjmara, it is a place that only law men or elders may stand upon and venture to, and in their absence it is guarded by the silent sentries of gneering or weeping she-oaks (*Allocasuarina verticillata*) (Bell pers. comm., 2010; Saunders pers. comm., 2010; Gunditjmara in Wettenhall 2010, pp.6-7; McNiven & Bell 2010).

Within this country, formerly a recent volcanic plain, is an extensive dendritic watercourse system that flows north-south often resulting in low-lying and seasonally perennial swamps, lakes and depressions. The undulating volcanic plain composed of weathered basalt rock and soils, of 1.5 to 4 million years, affords rich acidic native grassland and introduced perennial pastures to support extensive communities of herbaceous mammals and sheep and cattle respectively (Carr et al 2007). The most recent of these volcanic upheavals occurred some 20,000-30,000 years ago at Mt Eccles, causing the Tyrendarra lava flow that advanced west and south of this volcano over some 50km reaching under Portland Bay today. This lava flow progressively became distorted into hummocks and depressions, resulting in extensive fields of loose or interconnected small-large scoria either heavily air-pocked or dense hard rock. Central in this flow route was the formation of Lake Condah.
The Gunditjmara witnessed these volcanic eruptions; a major transformation of their country. Their response, in terms of survival necessitated a shift from a semi-sedentary hunter-gather society to a permanent society based upon intensive aquaculture production arising from their mastery of hydraulic engineering principles and their manipulation of this post-lava flow landscape. The end result, after some 25,000 years of landscape planning activity, and some 5,000-7,000 years of lava flow manipulation, was a semi-permanent community, dependent upon and culturally responsible for the intensive production and harvesting of fish and eel through the conscious acts of engineering an intricate hydraulic system to support aquaculture production. Semi-permanency was aided by the formulation of unique micro-climatic responses including architecture from stone and vegetation, their new-found role as a core food supplies and sharer/trader to adjacent countries and the wider region, and by their spatial and physical neutrality of land ‘ownership’ (Builth 2002, 2003; Clark 1990a, 1990b; Coutts et al 1978; Lourandos 1980; Sutton 2004; Williams 1988; Jones 1993).

The reliable rainfall, with falls mainly in the European winter and spring, results in an average annual rain fall of 700-800mm with an average daily temperature of between 12-26°C in summer and 5-13°C in winter. This mixture of characterizes in an often bleak, seasonally wet landscape and environment. The latter hosts a suite of water-based vegetation communities stretching from perennial and ephemeral wetlands to the Stony Rises woodlands and Stony Rises Shrubland. These botanical categories dominated by Blackwood (*Acacia melanoxylon*), Manna Gum (*Eucalyptus viminalis*), Black Wattle (*Acacia mearnsii*) and Cherry Ballart (*Exocarpus cupressiformis*), with scattered grassy patches amidst a majority of dense scrubland and herbaceous vegetation (Carr et al 2007).

All this knowledge and expertise was suddenly cast aside in the 1840s-60s, and again in the 1930s-50s, when colonial pastoralism, intensive settlement policies, guns, small-pox, uncontrolled fire, and the European protectorate and religious indoctrinal missions ‘invaded’ the landscape resulting in death, dispossession, cultural-knowledge disintegration, ‘natural’ landscape transformation including extensive drainage measures, and the transposition of conventional European science onto the environment. During these periods, and over the wider 160 years, sheep invaded the pastures, the Gunditjmara were herded, split, died of disease, and knowledge and religion-retrained despite attempts to fight against this onslaught (Gunditjmara with Wettenhall 2010; Context 2000; Dawson 1881; McNiven & Bell 2010). These periods witnessed the disintegration of these traditional aquaculture systems, the imposition of Western knowledge, science and land systems, and the cultural dispossessions of land, spirit and purpose.

The last 25 years have witnessed a major shift in these acts of intellectual and physical planning. The former Lake Condah Mission Station has been returned to the Kerrup Jmara Elders Aboriginal Corporation, additional properties progressively acquired and transferred to the Corporation, and Crown land whether reserved (at Mt Eccles National Park) or unreserved transferred to the Corporation openly or under deed embodying management and access conditions (Context 2000).

**TOWARDS A WORLD HERITAGE NOMINATION**
The World Heritage Convention was developed to ensure the “proper identification, protection, conservation, and presentation of the world’s heritage,” was adopted by member states of UNESCO in 1972. The Convention seeks to recognise that the protection and conservation of the World’s natural and cultural heritage can contribute significantly to sustainable development. The Convention aims to “identify, protect, conserve, present and transmit to future generations cultural and natural heritage of outstanding universal value.” Categories, criteria and conditions have been developed to guide the nomination process and evaluation of the outstanding universal values of areas nominated for inscription on the World Heritage List.

To be included on the World Heritage List, sites must be of outstanding universal value and meet at least 1 out of 10 selection criteria. This evaluative criteria operates on the same system as the Australian National Heritage listing criteria being that 1 or more criteria may be relevant and applicable, but that a place may simply satisfy only 1 criteria or a suite of cultural and or natural criteria like Kakadu National Park. Until the end of 2004, World Heritage sites were selected on the basis of 6 cultural and 4 natural criteria. With the adoption of revised Operational Guidelines for the Implementation of the World Heritage Convention, only 1 set of 10 criteria exists.

When reviewing the World Heritage List (http://whc.unesco.org/en/list), there is only one comparable place included so far that possesses Indigenous cultural values and associations together with evidence of aquaculture systems. This place is the Saloum Delta in Senegal, west Africa, of some 145,000ha in extent, that was inscribed in 2011 under criteria iii, iv and v (http://whc.unesco.org/en/list/1359, accessed 1st August 2011).

THE BUDJ BIM WORLD HERITAGE SYMPOSIUM

In June 2011 the Gunditjmara, through their Gunditj Mirring Traditional Owners Aboriginal Corporation, their Lake Condah Sustainable Development Project, and their Winda-Mara Aboriginal Corporation, assembled a key academic and practitioner panel to publicly review the respective discipline significance and importance of this landscape. The panel and the key peer reviewers thereafter met in conjunction with the Gunditjmara to consider the position of BBNHL to the World Heritage nomination process, with an oversight provided by Australia ICOMOS representatives. Academic perspectives from archaeology, aquatic ecology, vegetation, geology and geomorphology, hydrology, and environmental anthropology were offered as a context to the public symposia the essence of which were tested in the subsequent workshop.

In testing the World Heritage criteria the workshop analysed each criteria against the collective and individual disciplines and perspectives to identify potential ally valid criteria to pursue and assemble a prospective nomination. The assessment was informed by Australia ICOMOS representatives and wider practice authorship in National and World heritage inventories and assessments gathered in the room.
In essence the Workshop concluded that criteria iii, iv and v were potentially relevant to a nomination of Budj Bim, with criteria iv being relevant but would be at the discretion of the Gunditjmara to entertain. As a comparison, Saloum Delta was inscribed under criteria iii, iv and v (http://whc.unesco.org/en/list/1359, accessed 1st August 2011). Of some 936 properties presently inscribed on the World Heritage List, some 385 properties have been listed under criteria iii, some 506 properties under criteria iv, some 124 properties under criteria v, and 205 properties under criteria vi (http://whc.unesco.org/en/list, accessed 1st August 2011).

Detailed conclusions of the Workshop resulted in the following conclusions and observations.

Criteria i, representing “a masterpiece of human creative genius” was concluded as not being applicable and similarly Criteria ii – demonstrating an “important interchange of human values, over a span of time or within a cultural area of the world” – was concluded as being challenging to launch a valid argument; thus, no applicability.

Criteria iii was concluded as possessing some bearing in the belief that there was evidence “a unique ... to a cultural tradition or to a civilization which is living or which has disappeared” being the overall Gunditjmara residency in the region (some 60,000 years at least) and their historical and continuing construction and maintenance of the aquaculture systems in the region (some 7,000 years at least) in direct response to volcanic environmental changes; thus, medium applicability. Such was predicated upon notions of land use, traditions and beliefs.

Criteria iv similarly concluded as being relevant because clear evidence existed about “an outstanding example of a ... technological ensemble or landscape which illustrates (a) significant stage(s) in human history” being the extensive fish/eel trap systems and aquaculture network as validated in the National Heritage listing. But it was also observed that this criteria had an unclear applicability as it is normally based upon a robust comparative typological assessment at an international level of ‘fish trap systems’ that would identify and quantity “uniqueness” and or “distinctiveness” and validating such might prove fraught; thus, medium applicability with a risk attached.

Such a typology raises the comparative context of Saloum Delta, but there are also the organic remains of wooden-stake and woven basket traps linked to 8,000-7,000 year old European Mesolithic marine and freshwater traps in Maine and California that are perhaps the earliest known evidence for use of such facilities dated in North America (McNiven et al 2011: 2).

Criteria v was considered, by the Workshop, to be of most relevance as there was evidence at Budj Bim of “an outstanding example of a traditional human settlement, land-use, ... which is representative of a culture ..., or human interaction with the environment” because of the historical longevity of the aquaculture system matched with direct cultural management, rituals and narratives
demonstrated a unique entity; thus, high applicability. The perspective concluded was that such an argument needs to be launched on the basis of land use and not typology recognising the same concern raised in the above Criteria iv discussion.

Criteria vi, implying evidence existed that “directly or tangibly associated [the place] with events or living traditions, with ideas, or with beliefs” was a matter at the discretion of the Gunditjmara to entertain as it would necessitate opening up and documenting their cultural beliefs, narratives and Dreaming stories that have substantively to date not placed in the public domain, unlike at Baiame’s Ngunnhu where the Dreaming story has been extensively exposed; thus, discretionary applicability.

Criteria vii, viii, ix and x were concluded as being not applicable as they relied upon the uniqueness of natural processes and or features, and such elements as extinct volcanoes in the region were hardly internationally comparable to similar volcanoes overseas; this, no applicability.

CONCLUSIONS

Given this assessment, which provides an indication of potentially relevant World Heritage criteria to pursue and to identify strategic information to assemble, the matter is now in the hands of the Gunditjmara to consider and continue their progressive discourse on this topic. The Workshop has provided guidance on what were the most relevant criteria a potential World Heritage nomination could be pursued, how to proceed and what information now needs to be assembled over the near future placing an emphasis upon the need to map the extent of the system and to position it within a rigorous typologically benchmarking study to ascertain its sub-levels of hydraulic engineering complexity and uniqueness. Such will inform continuing discussions towards a World Heritage nomination of the BBNHL and its larger sphere of relevance.

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