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**Indigenous Studies Unit  
Centre for Health Equity**  
Melbourne School of Population  
and Global Health

# **ROCK ART SYMPOSIUM 2019: EXPLORING THE SOCIAL, POLITICAL AND CULTURAL DIMENSIONS OF ROCK ART IN AUSTRALIA AND BEYOND**

**Friday 11th October 2019**

University Hall, Old Quad, North Wing,  
The University of Melbourne, entry via the Cloisters.

## CO-CONVENERS:

### **Dr Lyndon Ormond-Parker**

(Indigenous Studies Unit, Melbourne School of Population and Global Health, University of Melbourne)

### **Dr José Antonio González Zarandona**

(Alfred Deakin Institute for Citizenship and Globalisation, Deakin University)

### **Melissa Marshall**

(Nulungu Research Institute, University of Notre Dame Australia)

### **Holly-Jones Amin**

(Grimwade Conservation Services, Faculty of Arts, University of Melbourne)

## SYMPOSIUM:

Rock art is uniquely powerful and provides an ongoing connection here in Australia to what is undoubtedly one of the world's oldest living cultures. As the world capital of rock art with over 100,000 rock art sites, more than any other country in the world, we face complex challenges to preserve these creative legacies into the unforeseeable future. Although it is nationally recognized as an important part of Australia's heritage, rock art in Australia is still damaged and remains under threat. With so many rock art sites in remote locations there are ongoing preservation challenges.

The aim of this one-day symposium is to have a robust discussion about the social and political dimensions of rock art in Australia. The symposium seeks to analyze the mechanisms under which rock art operates in Australia beyond archaeological engagement. The overall aim is to review and highlight what is and what is not working in rock art preservation in Australia.

## SUPPORTERS

Indigenous Studies Unit, Melbourne School of Population and Global Health,  
Faculty of Medicine Dentistry and Health Sciences, University of Melbourne

Alfred Deakin Institute for Citizenship and Globalisation, Deakin University

Chancellory Engagement, University of Melbourne

Nulungu Research Institute, University of Notre Dame Australia

Old Quad, Chancellory Engagement

Special thanks to: Sarah Zappia (Events Officer, MDHS), Winnie Au Yeung (Designer, Strategy and Culture), Philippa Brumby (Old Quad Operations Coordinator), Kira Bayfield (Old Quad Events Officer), Louise Murray, Dr Sharon Huebner, Rebecca Cullen, Shane Bawden, Dr Kristen Smith (Indigenous Studies Unit).



# TIME ROCK ART SYMPOSIUM 2019

## FRIDAY 11TH OCTOBER 2019

<b>9.00</b>	<b>Registration</b>
	<b>Session One Chair: Lyndon Ormond-Parker</b>
<b>9.30</b>	<b>Welcome &amp; Acknowledgement of Country</b>  Speaker: Rodney Carter, Chair of the Victorian Aboriginal Heritage Council
<b>9.50</b>	<b>1. Rock art and rock climbing: an escalating conflict in the sandstone ranges of Western Victoria (Gariwerd)</b>  Speaker: Andrew Thorn (ARTCARE, Melbourne), Jake Goodes, Clive Carlyle, Leigh Douglas & Robert Gunn
<b>10.10</b>	<b>2. Solastalgia and Baiame Cave: the alarming legal, regulatory and political context of rock art conservation in the Hunter Valley, NSW.</b>  Speaker: Jillian Huntley (Place, Evolution and Rock Art Heritage Unit, Griffith University)
<b>10.30</b>	<b>3. How is Australian rock art represented in the Australian media? A work in progress</b>  Speaker: José Antonio González Zarandona (Alfred Deakin Institute for Citizenship and Globalisation, Deakin University)
<b>10.50</b>	Open Discussion
<b>11.00</b>	MORNING TEA  Session Two Chair: Melissa Marshall
<b>11.30</b>	<b>4. Preservation of rock art: the changing relationship over thirty years of preventing damage to paintings on rock surfaces</b>  Speaker: Andrew Thorn (ARTCARE, Melbourne)
<b>11.50</b>	<b>5. France spent &gt; \$100 million conserving and promoting a rock art site - why can't we? Rock art and national identity in Australia</b>  Speaker: Sven Ouzman (Archaeology & Centre for Rock Art Research & Management, University of Western Australia)
<b>12.10</b>	<b>6. Compliance, Cooperation and Coexistence</b>  Speaker: Daniel Thomas (Woodside Energy Ltd)
<b>12.30</b>	<b>7. Sisters Rocks: Changing Connections to a Sacred Place</b>  Speaker: Darren Griffin (Barengi Gadjin Land Council Aboriginal Corporation)
<b>12.50</b>	Open Discussion

<b>13.00</b>	<b>LUNCH</b>
	Session Three Chair: Holly Jones-Amin
<b>14.00</b>	<b>8. Lessons learned: recent Mirrar case studies in agreement making for rock art and heritage management</b>
	Speakers: Susan O’Sullivan and Lynley Wallis
<b>14.20</b>	<b>9. Cultural Property Rights and Indigenous Rock Art</b>
	Speaker: Stephen Gray (Faculty of Law, Monash University)
<b>14.40</b>	<b>10. Holistic approaches to preserve and conserve rock art and narrative across Northern Australia</b>
	Speaker: Mel Marshall (Nulungu Research Institute, University of Notre Dame Australia)
<b>15.00</b>	<b>Open Discussion</b>
<b>15.10</b>	<b>AFTERNOON TEA</b>
	Session Four Chair: Antonio Gonzalez
<b>15.40</b>	<b>11. Murujuga National Park Managing tangible and intangible values</b>
	Speaker: Ken Mulvaney (Rio Tinto) and Peter Jeffries (Murujuga Aboriginal Corporation)
<b>16.00</b>	<b>12. The Australian National Heritage List and Rock Art</b>
	Speaker: Lyndon Ormond-Parker (The University of Melbourne)
<b>16.20</b>	<b>13. Panel discussion and open plenary session</b>
	Panelists: Professor Marcia Langton, Dr Lyndon Ormond-Parker, Holly Jones-Amin (University of Melbourne), Melissa Marshal (University of Notre Dame Australia), Antonio Gonzalez (Alfred Deakin Institute for Citizenship and Globalisation)
<b>16.50</b>	<b>14. Concluding remarks</b>
	Billy Griffiths (Deakin University)
<b>17.00</b>	<b>CLOSE</b>

# ABSTRACTS & SPEAKERS

## Welcome and Acknowledgement

**Rodney Carter** is a descendant of Dja Dja Wurrung and Yorta Yorta people and resides at Bendigo in Central Victoria. He currently works for his people, the Dja Dja Wurrung as the Group Chief Executive Officer of the Dja Dja Wurrung Clans Aboriginal Corporation and the Dja Dja Wurrung Enterprises Pty Ltd. A defining moment for Rodney was negotiating the Dja Dja Wurrung people's native title settlement under the Traditional Owner Settlement Act 2010. Rodney has been a member of the Victorian Aboriginal Heritage Council since its establishment in 2006. As member and Chairperson, he strongly believes that Victorian Aboriginal people are those best placed to manage their own history, places and materials for the benefit of all Victorians.

## 1. Rock art and rock climbing: an escalating conflict

Robert Gunn, Jake Goodes, Andrew Thorn, Clive Carlyle and Leigh Douglas

**Abstract:** The recent escalation of bouldering and bolting in the sandstone ranges of Western Victoria has caused noticeable damage to Aboriginal rock art sites in the Grampians National Park (aka Gariwerd), Black Range State Park and Red Rock Bushland Reserve. This has forced Parks Victoria, as an initial measure, to increase Special Protection Areas within the Grampians National Park, resulting in the closure of eight well-known rock climbing faces. The closure, along with a Parks Victoria review of other climbing areas, has caused an outcry by the Victorian climbing fraternity. Reviews of the reasons for the closure are presented while adding a caution to all Cultural Site Managers to regularly and carefully monitor their cultural sites for an increase in damaging activities associated with climbing.

**Dr Robert (Ben) Gunn** is a consultant archaeologist with over 40 years' experience, who has specialised in the recording and management of Australian Aboriginal rock art. He has published over 50 papers and monographs, mostly on areas of rock art research.

With his wife, Leigh Douglas, he has worked throughout Australia, and has been heavily involved with Gariwerd rock art since 1979. He was a founding member of the Friends of Grampians-Gariwerd National Park. His work has involved the collection of both archaeological and ethnographic information and, consequently, he has worked closely with senior Aboriginal custodians and traditional owners. Robert completed his PhD at Monash University focussing on the extensive site of Nawarla Gabarnmang in Western Arnhem Land to develop new methods to record and analyse rock art superimposition sequences.

A proud Narungga and Adnyamathanha man, **Jake Goodes** was born in Woodville, South Australia. He was appointed as Ranger at the Grampians National Park (Gariwerd) in 2003. He then advanced to overseeing Cultural values and pest plant and animal control, which took him to the remote areas of Gariwerd. In 2018 he achieved Cert IV in Cultural Heritage Management from La Trobe University after which he was appointed as a Rock Art Cultural Heritage Protection Specialist for Parks Victoria to be responsible for the management of rock art sites throughout the Crown Lands of the State of Victoria. He now lives in Stawell, overlooking Gariwerd.

**Dr Clive Carlyle** is a forest scientist and biogeochemist whose research focussed on N and C dynamics in plantation and agricultural ecosystems. He is also a keen traditional rock climber and has walked, scrambled and rock climbed throughout the ranges of Gariwerd since 1984. Early rock-climbing forays included Hollow Mountain/Mt Stapleton, the Chimney Pots, Number 1 Creek, Mt Abrupt, and the Fortress. At that time the hardest thing was often finding and getting to the base of the climb. More often than not we were the only climbers at the crag, and it was generally unusual to meet more than 2 or 3 other parties. Clive now lives on and manages a conservation property abutting the Mount Difficult Range. He is active in Landcare and currently Vice Chair of the Project Platypus Board. From 1987-2010 Clive worked for CSIRO, culminating in the position of Senior Principle Research Scientist and Assistant Chief of Sustainable Ecosystems with CSIRO.

**Leigh Douglas** is a physiotherapist and photographer. For the past 15 years she has joined Robert Gunn in the recording of Aboriginal rock art throughout Australia. Her photographs have been used by University of Western Australia for promotional work and included in over 20 co-authored academic rock art papers. Leigh grew up at the southern edge of the Grampians (Gariwerd), and now lives on their eastern side near Lake Lonsdale. She has a great love of the Grampians, and consequently has maintained a close connection to, and involvement with, the National Park.

## 2. Solastalgia and Baiaame Cave: the alarming legal, regulatory and political context of rock art conservation in the Hunter Valley, NSW.

Jillian Huntley, Griffith University

**Abstract:** Impacts to cultural heritage from mining have been ongoing in the Hunter Valley of NSW for more than 220 years. With the longest, most sustained history of resource extraction in the country, and currently housing the world's largest coal export terminal, the Hunter Valley should be leading heritage practice—far from it. Here I want to talk about alarming trends in the legal, regulatory and political context of rock art conservation using as a case study the landmark dual NSW Heritage/Aboriginal Place listing of the Baiaame Cave rock art site in Milbrodale, NSW. The context surrounding the Baiaame Cave dual listing illustrates an increasingly hostile NSW government setting for heritage, including rock art, preservation. The ongoing management of Baiaame Cave again raises unresolved issues about practical protection of intangible concepts such as cultural landscapes, and the interconnected heritage values of rock art sites, and how this is (or isn't) achieved. Precedents of rescinding previously deed in perpetuity agreements and temporarily changing state laws and planning instruments to favor the approval of individual mining projects discussed in this presentation are alarming to say the least and should raise national and international scrutiny for heritage management generally and rock art conservation in particular.

**Dr Jillian Huntley** is a Research Fellow at the Place Evolution Rock Art Heritage Unit in the Centre for Social and Cultural Research, Griffith University. She specialises in the physiochemical characterisation of rock art and other archaeological pigments, originally training at the Australian National University under Dr Alan Watchman (a seminal figure in rock art conservation and scientific analyses). Jillian has been privileged in recent years to work on high-profile Australasian finds such as ground ochres that are some of the earliest evidence for human colonisation of Sahul at Madjedbebe dating to more than 60,000 years ago, and the earliest rock art in our region (indeed the world) from Sulawesi and Kalimantan in Indonesia, hand stencils and depictions of endemic fauna that date to ~40,000 years ago. A field archaeologist by trade, Jillian has 15 years experience in public archaeology and has worked with Aboriginal peoples across Australia since 2001 recording rock art as part of both research and commercial projects. Best known as an archaeological scientist, she has published on diverse topics relating to rock art from the complex social impacts of mining to pseudoarchaeology, recently co-editing a Festschrift in honour of pioneering Australian scholar John Clegg.

## 3. How is Australian rock art represented in the Australian media? A work in progress

José Antonio González Zarandona, Alfred Deakin Institute for Citizenship and Globalisation

**Abstract:** This Work in Progress is part of a larger research project that seeks to analyse and map the destruction of rock art in Australia. One of the most common representations of rock art in the Australian media is when rock art sites are reported to have been vandalised or defaced by graffiti. The other most common representation of rock art in the Australian press is when a site is re-discovered, and new dates help extend the long-term occupation of Australia by Indigenous Australians. This paper will provide an overview of how rock art destruction in Australia is represented in Australian media. Analysing over 2500 articles that chronicle different destructions of rock art between 1988 and 2018, this paper will discuss how and why they are represented in such ways. By comparing Australian rock art sites to other instances where the portrayal of rock art in the media is somewhat positive, the paper will analyse these case studies to answer the question how is rock art represented in the Australian media?

**Dr Antonio Gonzalez** is an Associate Research Fellow at the Alfred Deakin Institute for Citizenship and Globalisation, an Affiliated Researcher at Division de Historia in the Centro de Investigacion y Docencia Economicas, Mexico. In 2015 he was a Visiting Scholar at the Ironbridge International Institute for Cultural Heritage in the University of Birmingham. In 2018 he was funded by the British Academy to work as a Visiting Fellow at Forensic Architecture in Goldsmiths University (London). In 2020 Antonio will be an Associate Research Scholar in the International Observatory for Cultural Heritage at Columbia University.

#### 4. Preservation of rock art: the changing relationship over thirty years of preventing damage to paintings on rock surfaces

Andrew Thorn, ARTCARE, Melbourne

**Abstract:** The preservation of deteriorating and threatened rock art requires a range of skills acquired through formal training as a fine art conservator, in the case of the presenter, through a double specialization in Paintings and Stone Conservation. The relationship between the conservator and custodian is one that has familiar requirements to the conservator who is routinely engaged in shared responsibilities towards an object that requires input from the creator, curator, scientist and conservator. This presentation discusses the evolution of the relationship between indigenous custodians and a professional rock art conservator as experienced from a number of cases, both in Australia and other parts of the world. In particular, examples of where the custodian has provided insights into what would otherwise be secret, or not casually divulged information has been necessary for the conservator to fully understand the painted components, the rock surface, and the spiritual universe in which they are placed. Case studies cover a wide range of examples of collaboration, beginning with the removal of overpaints from Bunjil's Cave, Victoria, in 1988, where the painting was traditionally overpainted without consent from the local community, to more recent examples of soul-destroying vandalism. The presentation will touch on ownership issues, in two instances, whereby the conservator provided technical assessment to allow communities to regain control of sites and stories. The relationship in each study will be discussed.

**Andrew Thorn** is a Fine Art Conservator with a degree in the Conservation of Wood Stone and Polychromy (London) and Mural Paintings Conservation (Rome). Andrew works for the company Artcare, specializing in the conservation of mural paintings, stone sculptures and monuments. Within the company's range of projects Andrew has specialized in the preservation of rock paintings and engravings, commencing with the recovery of the overpainted image of Bunjil, a significant painting near Stawell, Victoria in 1988. Andrew has worked consistently since that time, both on the diagnosis of rock degradation, and methods for the better protection of paintings on exposed rock surfaces. Andrew taught at the Rock Art Conservation course at Canberra University in 1989 and was further engaged by the Getty Conservation Institute to run a four week training site at Painted Rock, California in 1990 for graduates of the Canberra course. Since then Andrew has engaged with many indigenous custodians through training workshops on the care and maintenance of painted sites, and through several hundred condition surveys. Central to all of these activities has been regular publication of technical papers on rock art preservation and associated stone conservation technologies, the culmination of which has been an invitation by Routledge Publications to compile a definitive reference book on Stone Conservation, due to be published in coming years. Andrew has served as co-ordinator of the International Council of Museums Conservation Committee working group on Stone, Murals and Rock Art, and is a fellow of the International Institute for the Conservation of Historic and Artistic Works, being a member of their Editorial Committee.

## 5. France spent > \$100 million conserving and promoting a rock art site - why can't we? Rock art and national identity in Australia

Sven Ouzman, Archaeology & Centre for Rock Art Research + Management, University of Western Australia

**Abstract:** Both Australia and France spend just over 2% of GDP on Research + Development. Rock art is celebrated by the French – and the world – as both a French and global treasure, with multiple sites inscribed on the UNESCO World Heritage Site (WHS) list. Chauvet Cave is a high-profile example of state and private intervention to in excess of €55 million for the Caverne du Pont d'Arc museum alone. The government's CNRS employs and directs rock art researchers, conservators and support personnel. Australian rock art has similar global renown – yet most non-Aboriginal Australians are ignorant of it. None of Australia's 19 WHS are inscribed as rock art sites (though some contain rock art). There is no substantive dedicated government spending on rock art, very few trained conservators, and conflicts over development, recreational rock climbing and the like abound. Embarrassingly, southern Africa spends <1% of GDP on R+D - but has 4 rock art World Heritage Sites, rock art as part of state symbols and integrated into public consciousness, tourism ventures and so forth. The potential for Australian rock art to play a positive role in crafting a new national identity, enabling nation-building, and creating and supporting sustainable heritage futures is large. For example, the leverage effect of heritage funding can be up to 22:1; more than, for example, mining, albeit at a much smaller scale. Encouraging signs such as the integration of archaeology and rock art into school syllabi and moves to nominate at least one rock art province for WHS status nonetheless need substantial additional help from communities, academics, government and private sector. I present examples from Western Australia, Southern Africa and France to try and understand Australia's rock art apathy – and what can be done to address it.

### Optional Provocations

- Why do we think of heritage as finite and threatened – rather than expanding and potentially infinite?
- What does 'intangible' mean and is it a useful word?
- Is it possible (or desirable) to legislate rock art?

### Points to ponder

- Pathology of British colonialism
- Still in a colonial mindset
- Problematics of UNESCO

**Dr Sven Ouzman** is an archaeologist who specialises in rock art, graffiti, heritage politics, Indigenous knowledge, intellectual property issues, landscape, creolisation and cross-cultural contact, monuments, origins, and understandings of time. In terms of intellectual arc, he studied for his BA and BA Honours at the University of the Witwatersrand, South Africa (1988-1992). He then worked as the Head of the Rock Art Department at National Museum in Bloemfontein (1994-2002) before reading for an MA and PhD at UC Berkeley in California (2002-2006; PhD conferred 2008). While studying there he also taught Ancient African History at San Quentin Prison outside San Francisco. He returned to South Africa as a Senior Lecturer at the University of Pretoria's Department of Anthropology & Archaeology (2006-2011) before becoming Curator of Archaeology at Iziko South African Museum (2011-2013). On 1 July 2013 he joined the Centre for Rock Art Research + Management at the University of Western Australia as a Kimberley Rock Art Research Fellow and have been Discipline Chair of Archaeology (2016-2018). He co-ordinates the Archaeology Major (2015-present) and the Honours programme (2015-2018).



## 6. Compliance, Cooperation and Coexistence

Daniel Thomas, Senior Heritage Adviser, Woodside Energy Ltd

**Abstract:** As awareness and understanding of the importance of Indigenous cultural heritage gains broader appreciation in the wider community, heritage management is increasingly being led by Aboriginal and Torres Strait Islander people. These programs promise more appropriate protection and management, the preservation of intangible heritage values and traditional ways of life, and many subtle but important improvements to traditional owners arising from custodianship, independence, improved self-esteem and empowerment. There remain, however, many places in Australia where traditional owners are not able to take full control of heritage management, including around industry where legislative and regulatory compliance still require land-use proponents to take a leading role. This presentation will look at how Woodside Energy Ltd employs a 'living heritage' approach to managing tangible and intangible heritage on the Burrup Peninsula in order to extend the above benefits to traditional owners while meeting their legal, contractual, safety and security obligations. This involves a multi-layered approach to heritage management activities from basic recording and protection of rock art consistent with legislation, to active cooperation in preserving intangible heritage and facilitating intergenerational transfer of cultural knowledge, to assisting Aboriginal stakeholders to take control of the future of their heritage and connection to country. This presentation will examine, by reference to this case study, some of the obstacles to truly custodial cultural heritage management and how industry can work with Indigenous people to overcome these hurdles and deliver lasting and meaningful benefits.

**Daniel Thomas** is the Senior Corporate Affairs Adviser for heritage matters at Woodside Energy Ltd, Australia's largest oil and gas company. He is based in Karratha where the company requires careful monitoring and protection of nationally and internationally significant Indigenous rock art on Murujuga (also known as the Burrup Peninsula) around its operational facilities. Prior to this role he worked as a consulting archaeologist and heritage consultant on projects in the Northern Territory, Queensland, South Australia and Western Australia including projects protecting rock art on Murujuga and elsewhere in Australia. This history has given Daniel familiarity with a number of legislative regimes and an insight into the diversity of practice—good and bad—in Australian industry with regards to the protection of rock art and other heritage sites. Daniel completed a Graduate Diploma in archaeology at Flinders University in 2011 following a Graduate Certificate and bachelor's degree in the same field. Throughout his subsequent professional career following graduation he has been involved in the study and preservation of rock art. He is currently in his final year of a Juris Doctor at the Royal Melbourne Institute of Technology.

## 7. Sisters Rocks: Changing Connections to a Sacred Place

Darren Griffin (Barengi Gadjin Land Council Aboriginal Corporation)

**Abstract:** The Sisters Rocks are an isolated group of granite tors located in the Black Range, 3 km south-east of Stawell in western Victoria, on the boundary between Jadawadjali and Djab Wurrung Country. According to the Creation stories of these peoples associated with the place, the rocks were created by the Ancestral Being, Bunjil. Bunjil's wives are said to have imbued meaning in to the place by marking the rocks and naming them. There have been various claims that there were once Aboriginal rock paintings at the site, which is a plausible assumption considering that most similar geological features in the surrounding area have rock art, most notably Bunjil's Shelter located 7 km to the south-west. Today a tradition of marking Sisters Rocks continues in the form of modern graffiti, a phenomena that began at the place in the late 19th century. It is possible that Aboriginal rock art initially prompted the production of graffiti by modern visitors, a problem that is common at rock art sites around the world.

But does the transformation of connection by different agents through time change the reverence of Sisters Rocks, or are changing cultural connections what make it sacred? The place is an important example of the continuation of intangible culture and relationships with place and their survival into the contemporary world. The view of Aboriginal peoples and their connections to the site are of primary importance in terms of its heritage values and significance. The graffiti poses challenges for the management of the site — there have been various calls to remove it since the 1930s, but there are also various arguments for its retention; the graffiti itself is part of the site's history and might be considered part of what makes it significant as a heritage place, both historical and Indigenous. This paper explores the changing cultural values of Sisters Rocks, including its continued importance to contemporary Traditional Owners and the implications these values have for its management as a heritage site.

**Darren Griffin** is an archaeologist with 20 years' experience in the consulting and research sector, working on a range of cultural heritage and archaeological places in Australia, England, Germany, Austria and Tanzania. For the last 10 years Darren has worked for Traditional Owner Organisations in Victoria and is currently the Registered Aboriginal Party (RAP) Manager at Barengi Gadjin Land Council Aboriginal Corporation (BGLC), which represents the cultural heritage and Native Title rights and interests of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples.

Over this time Darren has assisted Traditional Owners in forming partnerships with a wide range of land managers, proponents and stakeholder groups as well as in the establishment and management of a number of experimental archaeology projects, cultural events and the continuation of cultural practices, including the Koorong and Bakang Dyakata projects. Darren has also been involved in the recording, management and conservation of rock art sites within Wotjobaluk and Jadawadjali Country, including Gariwerd, Dyurrite and Sister's Rocks. He has also recently assisted in the recording of rock art at Murujuga in WA.

## **8. Lessons learned: recent Mirarr case studies in agreement making for rock art and heritage management**

Susan O'Sullivan and Lynley Wallis

**Abstract:** Gundjeihmi Aboriginal Corporation (GAC) represents Aboriginal traditional owners of the Mirarr estate located in Kakadu National Park and the adjacent Aboriginal Land Trusts. As an Aboriginal corporation involved in a broad range of community and cultural activity, GAC has entered into formal agreements with research organisations on behalf of traditional owners and holders of cultural rights. Those agreements have attempted to ensure that the expectations and rights of the Indigenous community are well understood and properly respected in the research process. This has included research on the significance of rock art sites and their management. Here we present the community perspective on how challenging it is for Indigenous communities to manage engagement with researchers and cultural heritage management projects, especially where there are multiple institutions across multiple disciplines undertaking projects in the same country. GAC's experience is that institutions and experts that wish to engage with communities must acknowledge these challenges and re-think their approach to both the form of research agreements as well as the practical processes used to engage communities. The purpose and effect of research or other management expertise should be improved management in the hands of the community that has cultural authority over the sites of concern. GAC's experience is that this requires institutions to go beyond questions of ethical consent and to better understand what practical measures need to be embedded from the outset of any project.

**Susan O'Sullivan** is an experienced indigenous rights lawyer and negotiations facilitator with an interest in Cultural IP rights. Her background includes 30 years experience in Northern Territory land rights and native title and cultural heritage across Northern Australia. As an independent private legal practitioner, Susan works directly with traditional owners and their corporations and has broad experience of the planning and execution as well as the long term outcomes of projects from the community perspective. A large part of her practice includes advising traditional owner groups on corporate governance. This includes advice on agreements with external institutions and stakeholders including universities, museums and government. Major projects include the negotiation of numerous mining and resource agreements and associated cultural heritage management plans, resolution of land tenure in numerous locations including on Queensland DOGIT lands and actions for the protection of sites under the Aboriginal Cultural Heritage Act 2003 Qld and the Northern Territory Sacred Sites Act 1989. Susan is also closely involved with traditional owners interested in the protection of the World Heritage listed Kakadu National Park. In conjunction with her practice, Susan also works with organisations interested in adopting a restorative practices framework for conflict resolution.

**Dr Lynley Wallis** is an archaeologist who currently splits her time as a Senior Research Fellow in the Nulungu Research Institute at the University of Notre Dame and in private practice as cultural heritage consultant. In the latter capacity for the past 12 months she has been engaged as the Cultural Heritage Advisor to Gundjeihmi Aboriginal Corporation. Lynley holds a Bachelor of Science (Honours) from the University of WA and a PhD from The Australian National University. She has previously worked at Flinders University, James Cook University, the University of Queensland, and for the ACT Government and the Australian Institute of Aboriginal and Torres Strait Islander Studies. Lynley has longstanding interests in the archaeology of northern Australia, palaeoenvironments and Aboriginal cultural heritage management, and a commitment to undertaking collaborative research partnerships with communities. She has worked extensively on the rock art of inland northwest Queensland, and on the painted rock art of Banjima country in the Pilbara. Most recently she has been working with the Mirarr people, providing training and support to the Djurrubu Ranger team to assist them with ongoing management of their extensive rock art assemblage in west Arnhem Land.

## 9. Cultural Property Rights and Indigenous Rock Art

Stephen Gray, Monash University

**Abstract:** Questions of Indigenous legal and cultural rights over rock art are particularly compelling given the very different significance the art holds for Indigenous people compared to that recognised by a more general public. Conflicts arise regularly between the interests of Indigenous people and those of the nation state, or of non-Indigenous mining or tourism ventures. So who does rock art really belong to, and what rights might its owners have? This paper examines the legal rights that Indigenous people have to rock art sites, and canvasses some possibilities for change. It begins by surveying Australia's rock art protection laws, which are predicated essentially on striking a 'balance' between the cultural or archaeological interests at stake, and those of economic development. It then considers Australian law's capacity to protect intangible cultural heritage embodied in rock art, including Victoria's recent Aboriginal Heritage Act amendments. Thirdly, it will consider the suggestion that Australia should adopt a *sui generis* scheme for the protection of Indigenous cultural and intellectual property. While such a scheme is undoubtedly desirable in principle, it is less clear how it would work in practice, and in particular whether it would be consistent with the desires of traditional owners to maintain the secrecy of a site. A way out of these difficulties, the paper suggests, might be an alternative human-rights based conceptions of property rights, or possibly a broadened notion of breach of confidence.

**Dr Stephen Gray** is a Senior Lecturer at Monash University Faculty of Law, and an Associate to the Castan Centre for Human Rights. He has published widely on Indigenous legal issues, including the Stolen Wages issue, criminal law, and protection for Indigenous art and culture. He was head researcher on the Northern Territory Intervention website, released by the Castan Centre in February 2016. He has published several books, including *Criminal Laws Northern Territory* (second edition, 2012), *Brass Disks, Dog Tags and Finger Scanners: The Apology and Aboriginal Protection in the Northern Territory 1863-1972*, (2012) and *The Protectors: a journey through whitefella past*, Allen & Unwin, (2011). He has written extensively on issues concerning protection for Aboriginal art and culture, including most recently a chapter on cultural and intellectual property rights in rock art, published in the *Oxford Handbook of the Archaeology and Anthropology of Rock Art* (2016). He has also published a crime detective novel concerning protection for the work of Aboriginal artists, *The Artist is a Thief* (Allen & Unwin, 2001).

## 10. Holistic approaches to preserve and conserve rock art and narrative across Northern Australia

Mel Marshall, Nulungu Research Institute, University of Notre Dame Australia

**Abstract:** The difficulties facing remote Indigenous communities in Northern Australia to access and resource programs to care for Country, culture and language has been highlighted in social media and lobbying campaigns for Working on Country ranger teams for more than a decade. While in roads have been made in these areas, the challenge to support large groups of people on Country to remote rock art sites continues. Through a collaborative process that has been underway for more than a decade, researchers, Indigenous communities, and Parks staff have come together to facilitate a process that advocates the sharing of narrative and cultural values through intergenerational transfer of knowledges, while simultaneously monitoring and maintaining the tangible rock art and associated heritage at sites across Northern Australia. On Ngarinyin country in the Kimberley, WA and with multiple clan groups across Kakadu National Park in the Northern Territory, examples will be presented of this shared experience and the range of outcomes achieved. With the research underpinned by a decolonising framework for rock art conservation underpinned by Indigenous methodologies and developed by Marshall for her doctoral research, this way of working sits at the empowerment end of the recently published Engagement Spectrum of the AIATSIS code of ethics.

**Melissa Marshall** has been a Research Fellow with the Nulungu Research Institute at the University of Notre Dame Australia (Broome Campus) since 2015. As a qualified archaeologist and geospatial technician, Mel has been awarded the degrees of Masters in Applied Science (Geographic Information Systems) from the University of Melbourne; a Graduate Diploma in Computer Science and a Bachelor of Arts (Archaeology) from La Trobe University. In June this year, she was also informed she has passed (pending corrections) with a Doctor of Philosophy through the Australian National University focusing on rock art conservation and management techniques applied through decolonising frameworks.

For the past 20 years, Mel has gained extensive experience working in remote Australia, in the area of Indigenous archaeology, cultural heritage and Aboriginal community-driven culturally-based research programs. Based in the Kimberley region itself since 2004, she has worked primarily with the Kimberley Aboriginal Law and Culture Centre

(KALACC), as well as a number of Traditional Owners groups, Indigenous rangers and Aboriginal communities across this landscape. Simultaneous to this, Mel has also worked in western Arnhem Land on various projects, particularly in Gunbalanya and Kakadu National Park.

Currently Mel is involved in the development of a number of collaborative research projects. Working with local communities, the focus of these is primarily related to cultural heritage management, Working on Country Indigenous ranger teams, Aboriginal land tenure and sustainability of remote Indigenous communities. All of the research undertaken is underpinned by best practice ethical processes such as the Burra Charter, AIATSIS guidelines for ethical research, code of ethics for the Australian Archaeological Association and Australian Association of Consulting Archaeologists Inc; as well as the fundamental philosophy of Aboriginal ways of working in the Kimberley outlined in 'The Nulungu Way' (<https://www.notredame.edu.au/research/nulungu/nulungu-way>).

## **11. Murujuga National Park Managing tangible and intangible values**

Ken Mulvaney (Riotinto) and Peter Jeffries (Murujuga Aboriginal Corporation)

**Abstract:** Murujuga National Park, declared in 2013, is Western Australia's 100th National Park and covers 49.1km<sup>2</sup> of Burrup Peninsula. It is the only National Park owned and managed by its Traditional Owners. Murujuga Aboriginal Corporation (MAC) represents the Ngarda-ngarli, the people comprising the three Native Title groups, Ngarluma-Yindjibarndi, Yaburara-Mardudhunera and Wong-Goo-Tt-Oo. MAC is governed by a board, comprising elected members of the Ngarda-ngarli, it employs staff including Park Rangers, with much of the cultural functions managed through the 'Circle of Elders'. Burrup Peninsula (Murujuga) is the largest island in a group of forty-two which comprise the Dampier Archipelago, situated on the north-west coast of Australian. The rugged, rocky landscape not only is a unique natural landscape it also contains the world's greatest concentration of petroglyphs and other cultural features. Rock art that has been marked into the rock surfaces by countless generations over some 50,000 years, reflecting the changing sociocultural and environmental conditions of the place. Industry first came to Murujuga in the 1960s developing into a commercial hub and is one of Australia's largest bulk commodities export ports. Iron ore and sea salt are shipped through three terminals, and liquefied natural gas is processed and shipped through two other facilities. The Park comprising the non-industrial lands of Murujuga, however MAC effectively takes management responsibility for the whole Dampier Archipelago land and sea country. It is a culturally rich and spiritually sacred land and seascape which presents specific management issues for the Traditional Owners and Aboriginal Rangers. Sometimes at odds with the bureaucratic strictures of government departments, nonetheless MAC has negotiated a mechanism of governance and management processors which are culturally acceptable and ensuring the protection and running of the place.

**Peter Jeffries** is the CEO of the Murujuga Aboriginal Corporation, incorporated in April 2006, it represents five traditional groups; the Yaburara, Mardudhunera, Ngarluma, Yindjibarndi and the Wong-Goo-Tt-Oo, whom have interests in the lands and sea country of Dampier Archipelago. MAC co manages the Murujuga National Park, with the Department of Parks and Wildlife on behalf of the traditional owners. A senior lawman, born of a Ngarluma father and Pinikura mother, Peter Jeffries has lived and worked in the Pilbara all his life. His career began with the WA Police Force, then Rio Tinto, the Yamatji Marlpa Aboriginal Corporation and Woodside before becoming MAC CEO in late 2018.

**Ken Mulvaney** is the Principal Heritage Advisor for Rio Tinto's iron ore operations, based in Dampier for the last 16 years. Ken initially came to Murujuga in 1980, employed by the Western Australian Museum as part of a team documenting archaeological sites prior to the construction of the Karratha Gas Plant. In 1986 Ken moved to the Northern Territory, first with the Northern Land Council and later with the Sacred Sites Authority, before returning to Murujuga.

## 12. The Australian National Heritage List and Rock Art

Lyndon Ormond-Parker (University of Melbourne)

**Abstract:** The National Heritage List is Australia's list of places of Historic, Natural and Indigenous. This paper explores the current National Heritage list and how rock art sites are represented on this list.

## 13. Panel discussion and plenary session: Exploring the social, political and cultural dimensions of rock art in Australia and beyond

Professor Marcia Langton AM, Dr Lyndon Ormond-Parker, Holly Jones-Amin (University of Melbourne)

**Professor Marcia Langton AM** Professor Marcia Langton holds the Chair of Australian Indigenous Studies at the University of Melbourne, and was appointed Distinguished Redmond Barry Chair. She is an anthropologist and geographer and is widely-published on topics in Australian Indigenous Studies, including Aboriginal land tenure, Aboriginal art and Indigenous agreement-making. Professor Langton was appointed a Member of the Order of Australia in 1993 for services to anthropology and advocacy of Aboriginal rights. She is a Fellow of the Academy of Social Sciences in Australia. In 2017, Professor Langton was appointed as the first Associate Provost at the University of Melbourne. Her research interests lie in the areas of political and legal anthropology, Indigenous agreements and engagement with the minerals industry, and Indigenous culture and art. She established and managed several collaborative research projects (funded by the ARC and Industry partners in a sequence of ARC Linkage grants) in the fields of Indigenous agreement making and implementation, overcoming poverty and marginalisation by establishing good practice in governance and distribution of mining benefits, and traditional resource rights. Professor Langton has a track record in traditional Indigenous knowledge systems, digital technologies, and developed critical methodologies for researchers, including scientists, social scientists and historians, in the challenges of sustaining cultural knowledge and biological diversity in Aboriginal societies.

**Dr Lyndon Ormond-Parker** is an ARC Research Fellow in the Indigenous Studies Unit, Centre for Health Equity, Melbourne School Population and Global Health, the University of Melbourne. Lyndon has been working in cross disciplinary pursuits in cultural anthropology, cultural heritage, information technology, health promotion, community broadcasting and archiving. He has been involved in policy development, research and negotiations at the local, national and international level focused on Indigenous communities in the area of cultural heritage, materials conservation, cultural and intellectual property rights and repatriation of Aboriginal ancestral remains and material culture. He is an adviser on cultural heritage to governments, museums and Aboriginal communities. In 2005, Dr Ormond-Parker was appointed as the member of the Australian Heritage Council. The Australian Heritage Council is the principal adviser to the Australian Government on heritage matters. He is also a member of the Advisory Committee for Indigenous Repatriation, Ministry for the Arts. The committee advises on policy and program issues about Indigenous repatriation from Australian and overseas collections.

**Holly Jones-Amin** is the Team Leader of the objects, textiles and archaeological conservation at the Grimwade Conservation Services at the University of Melbourne (UoM). She is a foundation lecturer (2004 – 2014) for the UoM Masters of Cultural Materials Conservation. Holly is committed to improving the collaboration between conservation and archaeology and has over twenty years of experience as an Archaeological Conservator. She has conducted archaeological conservation in Australia, Italy, the Middle East, South-east Asia and Central Asia. As an archaeological conservator Holly engages with multiple archaeological communities. She works with consultant archaeologists in Victoria Australia and, works and researches with archaeological academics excavating Indigenous Australian and Pacific sites and overseas with archaeologist excavating and studying the Kura Arax culture in the Caucasus. She is a CABA (Australian Research Council Centre of Excellence for Biodiversity and Heritage) associate investigator, is involved in the SHIRiN initiative for the protection of archaeological sites in Syria and is an assistant coordinator for the International Council of Museums Committee for Conservation (ICOM-CC) working group for archaeological materials and sites working group.

## 14. Concluding remarks

Billy Griffiths, Deakin University

**Billy Griffiths** is a historian and lecturer in Cultural Heritage and Museum Studies at Deakin University, and an Associate Investigator with the ARC Centre of Excellence for Australian Biodiversity and Heritage. His research centres on Indigenous heritage, Australian politics, history and archaeology. His latest book is *Deep Time Dreaming: Uncovering Ancient Australia* (Black Inc., 2018), which was awarded the John Mulvaney Book Award, the Ernest Scott Prize, the Douglas Stewart Prize for Non-Fiction and the 2019 Book of the Year at the NSW Premier's Literary Awards.