

Code of Conduct for Licenced Tour Operators in Summerday Valley and Lookout Point

1. Background

Heritage listed for its biodiversity and significant cultural heritage, the Grampians National Park (Gariwerd) was established in 1984 to protect environmental and cultural values of national importance. The park has more than 800 indigenous plant species and is home to one third of Victoria's flora, a range of wildlife, and the majority of surviving Aboriginal rock art places in south-east Australia.

Parks Victoria manages the national park according to legislation such as the Parks Victoria Act 1998, National Parks Act 1975, and Aboriginal Heritage Act 2006, as well as the federally legislated Environment Protection and Biodiversity Conservation Act 1999.

Traditional Owners have practised (and continue to do so) their laws, customs and languages, and nurtured Country through their spiritual, cultural, material and economic connections to land, water and resources for thousands of generations. Parks Victoria works in partnership with Traditional Owners to recognise and protect irreplaceable tangible heritage and acknowledge the intangible aspects of these special places in the Grampians National Park and encourages those who come to the park to join in the effort to recognise and protect this significant landscape.

In June 2019, Parks Victoria offered existing Licenced Tour Operators (LTOs) offering rock climbing and abseiling at Summerday Valley, which is within a Special Protection Area in the Grampians National Park, a variation to their existing licences. The variation provides conditional authorisation for LTOs to continue undertaking rock climbing and abseiling activities in three designated areas within Summerday Valley (Barc Cliff, Back Wall, and a section of Wall of Fools). In April 2020, the licences were amended to provide for access to another crag Lookout Point, which is near Halls Gap.

Climbing activities in Summerday Valley and Lookout Point occur in close proximity to registered Aboriginal sites and have the potential to impact tangible and intangible cultural, environmental, spiritual or historical values.

2. Purpose

This Code of Conduct formalises the expected behaviours of LTOs to recognise, protect and respect Aboriginal cultural heritage in Gariwerd, including how this extends to native title rights and land rights.

From 1 July 2020, LTOs wishing to conduct climbing activities in Summerday Valley and Lookout Point Wall be expected to provide a voluntary commitment to this Code of Conduct that will underpin a greater working relationship with Parks Victoria and Traditional Owners.

LTOs are encouraged to consider the benefits of these positive relationships based on respect, admiration and protection of park values.

Review of this Code of Conduct will occur during Parks Victoria's formal process to issue new licences.

3. Code of Conduct

The following behaviours, values and actions are expected during the planning, delivery and discussion of climbing activities in Summerday Valley and Lookout Point to recognise and protect the Aboriginal cultural heritage of Gariwerd, including native title and land rights.

1. Respect be given to the strong physical connection Traditional Owners have to Country and their cultural heritage, and climbing activities should acknowledge:
 - the Aboriginal cultural heritage of Gariwerd; and
 - the potential harm to cultural heritage values that can occur through touching, walking over or photographing site features including rock art, quarry sites, artefact scatters and sites of spiritual significance. (Noting, that these actions are also an offence under the Aboriginal Heritage Act 2006).
2. Respect be given to the strong spiritual connection Traditional Owners have to Country and their cultural heritage, and LTO conduct should acknowledge:
 - the presence of intangible cultural heritage values and the importance of these to Traditional Owners;
 - awareness and respect of the importance of Traditional Owners beliefs, lore and customs;
 - respect in all communications with and matters concerning Traditional Owners; and
 - the wishes and rights of Traditional Owners, and respect and apply appropriate cultural values.
3. Clause 5.1 of LTO licences permitting climbing activities in Grampians National Park states that the Licensee must comply with all statutes, regulations, local laws and by-laws applicable to the Licensed Area or the Permitted Use. Breach of this licence condition may result in cancellation of licence. LTOs are expected to have knowledge and understanding of their obligations to comply with legislation specifically relevant to behaviours and values displayed during the planning, delivery and discussion of climbing activities in the Summerday Valley and Lookout Point. These include:
 - National Parks Act (1975);
 - Aboriginal Heritage Act (2006);
 - Equal Opportunity Act (2010);
 - Racial and Religious Tolerance Act (2001);
 - Charter of Human Rights and Responsibilities (2007);
 - Australian Human Rights Commission Act (1986); and

- Racial Discrimination Act (1975).
4. It will be the responsibility of LTOs to ensure that their staff and clients are aware of and adhere to this Code of Conduct. Potential breaches may result in an investigation and a request for mediation with Parks Victoria and Traditional Owners.

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