



Edward East
Compass Heritage Services
327 Princes Street, Port Melbourne VIC 3207
via email: eeast@compassheritage.com.au

5 February 2026

Dear Edward East,

Re: Lake Boort's cultural heritage is not adequately protected by Victorian Government and must be immediately protected by an ATSIHPA declaration

I am writing on behalf of the Federation of Victorian Traditional Owner Corporations (the Federation) to make a representation in support of the application under Section 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)* (ATSIHP Act) by Mr Ngerick Ngerick Gary Wyrkermiloo Murray, applying on behalf of the Yung Balug Peoples of the Dja Dja Wurrung First Nation, for the long-term preservation and protection of Lake Boort Reserve and the cultural sites and values it contains.

The existing management regime imposed by the Victorian Government provides inadequate protection from damaging activities by visitors. This is a systematic failure to prevent irreversible damage to this highly significant area, and it must **immediately be protected by an ATSHIPA declaration.**

The Federation is the Victorian statewide body that convenes and advocates for the rights of Traditional Owners while progressing wider social, economic, environmental and cultural objectives. Our work includes supporting Traditional Owner groups on cultural heritage matters, including participating in the National Native Title Council's First Nations Heritage Protection Alliance, and our current policy work with Department of Premier and Cabinet on a review of Victoria's cultural heritage system. The Federation also worked with Victorian Traditional Owners to prepare the *Traditional Owner Game Management Strategy*.

Lake Boort's Cultural Significance

Lake Boort has held cultural and spiritual significance for the Yung Balug people of the Dja Dja Wurrung Nation and their neighbours for millennia. The cultural significance of the area has been widely recognised including by the Victorian government as is evidenced by the *Lake Boort Reserve Management Plan 2018* (Management Plan) which was prepared by Parks Victoria in partnership with Dja Dja Wurrung Clans Aboriginal Corporation (DJAARA). This Management Plan was an outcome of the *Dja Dja Wurrung Recognition and Settlement Agreement (2013)* (DJAARA RSA), which was made under the *Traditional Owner Settlement Act 2010*.

The Yung Balug clan and DJAARA have sought protection of Lake Boort through numerous avenues over many years due to the area's spiritual significance, being a meeting place to conduct ceremony and the place of burial sites, the high density of scar trees, cooking mounds and middens. The area is a place of great pride and DJAARA and Yung Balug clan have been sharing the significance of the site via cultural tourism activities, which it intends to expand bringing cultural richness and tourism to the region.

The area has been protected for public use since 1881, and efforts to balance multiple values of the area and competing uses has been a point of contention for many years. In 2003, the Lake Boort Integrated Action plan recommended that protection under the *National Parks Act 1975 (Vic)* would be appropriate given the reserve's outstanding cultural heritage values. In 2008 the Victorian Environment Assessment Council (VEAC) recommended the reserve become a Natural Features Reserve- Bushland Area. In response to a review of the River Red Gum Community Engagement Panel Report in 2008, the status of the reserve was confirmed by the Victorian Government as a Wildlife Reserve available for hunting. This was all prior to the DJAARA RSA and it is not clear whether the cultural values of the reserve were adequately considered at the time of making the declaration of Lake Boort as Wildlife Reserve.

DJAARA's care for Country – Lake Boort

DJAARA's contribution to management of the Reserve has included the preparation of a pre-watering Cultural Heritage Management Plan, the outcomes of which were incorporated into the Environmental Management Plan, intended to enhance the reserves status as wetland of bioregional importance.

The actions of the Lake Boort Reserve Management Plan minimise risk and impacts on cultural and natural values of the area, such as construction of designated camping areas and zoning to regulate access to highly sensitive areas. However, implementation of this plan has been limited and ineffective to date. Evidence of this was collected by DJAARA and members of the Yang Balug clan following recent duck hunting seasons, which found widespread desecration of the significant sites, including damage to scar trees and cooking mounds and an inappropriate toileting, littering and firewood collection. This has caused significant distress and inhibited cultural tourism activities, and this application is being lodged to enable immediate intervention to prevent further desecration during the upcoming duck hunting season which is due start in March 2026.

The Federation calls for immediate protection of Lake Boort

The significance of this area is not in question; however, the existing management regime imposed by the Victorian Government provides inadequate protections to prevent the continuation of damaging activities by visitors. This is despite the recommendations of previous investigations by Victorian government agencies indicating that the level of protections for this area should be increased.

This is a systemic failure over decades to prevent ongoing damage to this highly significant area with the interests of a small number of users (hunters) being prioritised over those of Traditional Owners and irreplaceable cultural heritage of national significance. With the opening of Victoria's duck hunting season just weeks away, the Federation supports the Yang Baluk clan's application for immediate protection of this area.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kaley Nicholson".

Kaley Nicholson
Chief Executive Officer
Federation of Victorian Traditional Owner Corporations