

PARK WATCH



AN END TO LOGGING?
WHAT ABOUT THE WEST?
PUBLIC ACCESS TO PUBLIC LAND
SNOWY 2.0
OTWAYS CUT UP
PROMISED GRASSLANDS OF THE NEVER NEVER
THE PROM AS A SANCTUARY

DECEMBER 2019 NO 279



VICTORIAN
NATIONAL PARKS
ASSOCIATION
Be part of nature



Be part of nature

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OUR VISION

The Victorian National Parks Association vision is to ensure Victoria is a place with a diverse and healthy natural environment that is protected, respected and enjoyed by all.

Everyone can help in the conservation of Victoria's wild and beautiful places. To find out how you can help, visit www.vnpa.org.au/support or call us on (03) 9341 6500.

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FRONT COVER

The Domino Trail, a well-loved local trail from Trentham to Lyonville in the Wombat Forest, would be included in the new proposed parks recommended for the Victoria's central west. Turn to page 7 to read about our campaign for these forests to be protected. Photo: Sandy Scheltema.

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GOLD DIGGINGS, ARARAT, C. 1858, BY EDWIN ROPER LOFTUS STOCQUELER.

Common heritage

SUSAN LAWRENCE AND PETER DAVIES, FROM THE DEPARTMENT OF ARCHAEOLOGY AND HISTORY AT LA TROBE UNIVERSITY, STUDY THE GOLD RUSH ORIGINS OF PUBLIC LAND IN VICTORIA.

As Mark Twain pointed out, land is something that they aren't making any more. Land is scarce, and that is even truer of public land.

But whether we are alarmed about proposed land sales or campaigning for more national parks, we take it for granted that there *is* public land to sell or to protect. It is worth stopping to ask, how is it that we have public land at all?

This is an even more relevant question when it comes to western Victoria. The western half of the state is arguably some of the best land in Australia for agriculture – well-watered, with a mild climate and gently rolling topography. It is truly the 'Australia Felix' ('happy' or 'blessed' Australia) described by Major Thomas Mitchell in 1836.

The first settler-pastoralists certainly thought it was. Within just a few years of Mitchell's report they had seized almost every square inch of

western Victoria from the Traditional Owners – and the government quietly acquiesced.

So, why indeed is there any public land at all? Why isn't all the land still privately owned?

The answer lies with the gold rush.

As the rush waned, the demand for land grew. After an intense populist campaign, the Victorian government passed a series of Land Acts in the 1860s that gradually converted the immense pastoral runs into smaller farms.

There was a problem, though – the gold rush was over but the mining industry was still going strong. And it needed land too.

Geological knowledge of Victoria was still in its infancy. There was a very real possibility that more gold remained to be found. If all the land was sold off, the government ran the risk of missing out on a future golden bonanza.

Then there was the issue of the goldfields towns. Thousands of people, 40 per cent of Victoria's population, lived in the mining districts. All of them needed water supplies, firewood, and land for grazing horses, sheep and dairy cows.

The solution lay in Goldfields Commons, which would allow private access to land while retaining public ownership. They enabled the government to hedge its bets on mining while also opening land for sale.

The first Goldfields Commons were declared in 1860. Eventually there were more than 80 across Victoria, from Stawell in the west to Omeo in the east, although most were concentrated in the central goldfields districts. They ranged from only 200 hectares to over 33,000 hectares in area, but the majority were between 2800 and 4000 hectares.

Goldfields Commons had many uses. For Traditional Owners they were invaluable places of refuge from the destruction and upheaval of the land and the mining towns. Carters grazed their bullocks on the Commons and dairy cows were numerous. Cultivation licences, which gave leasehold title to 20-acre (8-hectare) plots, were eagerly taken up by orchardists and market gardeners.

The Commons also gave access to timber and water, both highly sought after by the mines and the mining towns. Timber was used for mine props and fed steam engines and cooking fires. Water was sourced in the uplands and carried through extensive networks of open channels.

The mines dumped their waste on the Commons too, in large mullock heaps next to the shafts and by discharging semi-liquid tailings into the streams.

The Goldfields Commons were managed by the local Boards of Mines, and this hints at their greatest value. The principal beneficiaries of the Commons were the holders of a Miner's Right. This was essentially a prospecting licence, but it came bundled together with an assortment of other privileges.

For five shillings a year, those with a Miner's Right could legally prospect on the Commons, stake a mining claim, and operate a small gold working. They could vote in local and general elections, and graze animals, keeping a dairy cow or a few goats. They could also cut timber, and take water from the open channels built for the mines.

As well, a Miner's Right entitled the holder to claim a quarter of an acre of land on the Commons on which to build a house. Families invested in permanent housing and small gardens. Eventually, both cultivation licences and residence licences were allowed to be converted to freehold title. This was the basis for the great wave of home ownership that characterised Australia for generations.

But private ownership also contributed to the demise of the Goldfields Commons. As the economic importance of mining diminished, the need for the Commons faded away. Only a few tenacious ones held on into the 20th century - such as Wedderburn, which lasted until 1941.

Many Commons were converted to timber reserves. As early as the 1880s



A detail of Sandhurst Goldfields Common, Public Record Office Victoria, VPRS 242/P0/105

the government had realised the need to manage Victoria's forests sustainably. It declared part of the Creswick Goldfields Common a timber reserve, and appointed John La Gerche as the government's first forester.

Other former Goldfields Commons followed a similar path. By the 1950s the land that had once been managed for gold was now being managed for timber.

In some ways the Goldfields Commons are a case study of the 'Tragedy of the Commons' described by Garrett Hardin in 1968. They were owned by none but abused by many, suffering from over-grazing and weed infestations, and from depredations by feral animals including rabbits and goats.

Yet Goldfields Commons were created for a particular purpose in Victoria, and arguably for that purpose they functioned well. The commons offered a 'middle way' of land management, between exclusive state control on the one hand and complete private ownership on the other. They were an important stage in the process of establishing settler domination of the land.

The Commons were contested places, where competing interests from mining, forestry and pastoralism struggled for control. They were also places of refuge for Aboriginal people and a haven for fringe dwellers, including Chinese market gardeners and the subsistence mining families who hung on in the bush for several generations.

The former common lands continue to be contested places today, valued for biodiversity but still for their potential resources of timber, water and gold, and as places for human respite and recreation. The old Commons are also crucial places for Traditional Owners, who are increasingly co-managing public land in central Victoria.

Debates about how this land should be used will continue, but the fact remains that Goldfields Commons have left a rich legacy of public land across central Victoria.

This article is a transcript of a presentation given by Professor Lawrence at the VNPA Annual General Meeting on 8 October 2019. • PW

Further reading: You can read more in the authors' recent publication *Sludge – disaster on Victoria's goldfields* (2019).

