



**NORTHERN
LAND COUNCIL**

Northern Land Council submission on the:

Draft NT Parks Master Plan

October 2022

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1. Introduction

Of the parks and reserves in the Northern Land Council (NLC) region, thirteen are jointly managed with Traditional Owners, with a further three planned for joint management (Attachment 2). In August 2022, NLC brought Traditional Owners from these parks together for a Joint Management Forum (the Forum) with staff of the Parks and Wildlife Commission NT (PWCNT) to discuss the proposed NT Parks Masterplan and joint management of the parks estate.

Traditional Owners at the Forum supported a long-term strategic approach to park management that recognises the importance of Aboriginal people and their country. However, Traditional Owners, PWCNT and NLC agreed there needs to be a significant change in how both joint management and parks management are done, if the high level aims in the draft Parks Masterplan are to be achieved.

The principal message to emerge from the Forum was that successful management of the parks estate depends on Traditional Owners and NT Government *walking together* with understanding, to protect and manage the wide range of ecological, cultural, social and economic values the parks estate contains. This is fundamental to the success of joint management and to improving outcomes for Traditional Owners, PWCNT and park visitors.

There is nothing new in this idea. Working in partnership is at the core of joint management: the *Territory Parks and Wildlife Conservation Act 1976* (TPWC Act) speaks of ‘an equitable partnership’ between Traditional Owners and government (section 25AB) and lays out principles for achieving this that include recognising Aboriginal culture, knowledge and decision-making processes, and using the land management skills and expertise of both partners (section 25AC).

In practice, however, the partnership has not been equitable. Traditional Owners speak of lack of consultation, poor communication and not enough support and resources for joint management committees. As the most recent example, the draft Masterplan itself was developed without any discussion with joint management committees.

The NLC calls on the NT Government to make a genuine commitment to joint management. This will involve a radical shift in order to meet its obligations under legislation, park leases and agreements, and to work in accordance with the joint management principles. Such a shift is timely given the Government’s commitments under the 2020 National Agreement on Closing the Gap to stronger partnerships and shared decision making (Priority Reform 1) and transforming government organisations (Priority Reform 3).

Traditional Owners at the Forum agreed on ways to walk together for strong governance, effective park management, and social, cultural and economic outcomes for Traditional Owners. This submission focuses on what *walking together* toward improved park management means in practice and what changes can be made to the draft Parks Masterplan to embed the concept of *walking together*.

1.1 Recommendations

The NLC makes the following recommendations to PWCNT. In the interests of accountability, transparency and to support evaluation, we suggest mechanisms for implementing these recommendations be included in the Parks Masterplan wherever possible.

Governance

- Resource and establish an Aboriginal regional governance group (or groups) with an active role in the strategic, planning and operational levels of parks management, with Terms of Reference agreed by Traditional Owners and Land Councils by July 2023. (Recommendation 1)
- Negotiate an overarching joint management agreement with Traditional Owners and Land Councils by December 2023. (Recommendation 2)
- Work with NLC and CLC to establish an officer level policy and planning advisory group by July 2023. (Recommendation 3)
- Build the governance capacity of joint management partners, including development of a governance training package by 2024 and ongoing training for committees. (Recommendation 11)
- Ensure good governance practice in joint management operations, including Aboriginal decision-making, regular joint management committee meetings with timely provision of meeting documents, and annual MERI meetings. (Recommendation 12)
- Give joint management committees responsibility for management of their park's discretionary funding, including for casual employment and contracts. (Recommendation 16)

Employment

- Work closely with Traditional Owners and Land Councils to review and reform employment practices and actively build pathways for meaningful local Aboriginal employment. (Recommendation 15)

Cultural protection

- Develop protocols for the protection of cultural information, Aboriginal knowledge and intellectual property. (Recommendation 10)
- Amend the action and target related to culturally inappropriate access to better reflect the rights of Aboriginal people and commitment to equitable partnership. (Recommendation 19)

Implementation and Evaluation

- Ensure participatory implementation, monitoring, evaluation, review and improvement are an integral part of all activities. (Recommendation 4)

- Work with the Aboriginal regional governance group and joint management committees to develop a five-year implementation strategy focusing on joint management outcomes, by December 2023. (Recommendation 5)
- Commission an independent review of the Masterplan every five years, overseen by the Aboriginal regional governance group. (Recommendation 6)
- Work with the Aboriginal regional governance group and/or Land Councils to initiate a review of existing joint management park lease agreements by July 2023, with the intent to complete this review within twelve months. (Recommendation 7)
- Review existing Plans of Management in collaboration with Traditional Owners. (Recommendation 13)

Options for future growth

- Work with Traditional Owners and Land Councils to develop an investment portfolio for jointly managed parks and other Aboriginal land where there is an interest in being part of the parks estate, and to develop market scenario planning models to evaluate proposed Aboriginal economic development projects. (Recommendation 17)
- Work with Land Councils and Traditional Owners to identify pathways for additional parks to move to joint management. (Recommendation 14)
- Include actions in the ‘Growing the estate’ theme to develop and implement a co-designed parks estate review plan, and to identify possible park management models (e.g. Aboriginal owned and managed; privately owned and managed; Aboriginal owned and jointly management). (Recommendation 18)

Overarching Parks Masterplan content

- Recognise the interconnection between the themes and the ecological, cultural, social and economic values they relate to; and outline how they will be integrated in the Parks Masterplan policy, planning and management process. (Recommendation 8)
- Throughout the Parks Masterplan, include appropriate target completion dates; recognise Aboriginal leadership of relevant actions; and make clearer connections across goals, targets, actions and text. (Recommendation 9)

The NLC also provides in principle support for the recommendations made by the Central Land Council (CLC) in their submission on the draft Parks Masterplan.

1.2 About the Northern Land Council

The NLC was established in 1973. Following the enactment of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) (Land Rights Act), the NLC became an independent statutory authority responsible for assisting Traditional Owners¹ in the northern region of the Northern Territory to acquire and manage their traditional lands and seas.

A key function of the NLC is to express the wishes and protect the interests of traditional Aboriginal owners throughout its region.

The Land Rights Act combines concepts of traditional Aboriginal law and Australian property law and sets out the functions and responsibilities of the Land Councils. The NLC is also a Native Title Representative Body under the *Native Title Act 1993* (Cth) (Native Title Act).

The NLC represents more than 51,000 Traditional Owners, and has a responsibility to protect the traditional rights and interests of Traditional Owners across our region, which is constituted by more than 210,000 square kilometres of the land mass of the Northern Territory and 85 per cent of its coastline. Within its jurisdiction, the NLC assists Traditional Owners by providing services in its key output areas of land, sea and water management; land acquisition; minerals and petroleum; community development; Aboriginal land trust administration; native title services; advocacy; information and policy advice.

Relevant to this submission, the NLC has a statutory role in joint management of NT parks under the TPWC Act. The NLC supports joint management arrangements by promoting the aspirations and interests of Traditional Owners through consultation and negotiation with other stakeholders. The NLC's capacity to successfully fulfil this role has fluctuated throughout the years since joint management has been in place, primarily due to changes in funding from the PWC. Adequate staffing levels are important to support the needs of Traditional Owner groups in jointly managed parks.

The NLC also manages 12 of the 36 Aboriginal ranger groups and three of the 15 Indigenous Protected Areas in its region.

The NLC's vision is for a Territory in which the rights and responsibilities of every Traditional Owner are recognised and in which Aboriginal people benefit economically, socially and culturally from the secure possession of their lands, waters, seas and intellectual property. Our mission is to ensure Aboriginal people in the NLC's region acquire and manage their traditional lands, seas and waters, through strong leadership, advocacy and management.

¹ For the purposes of this submission, the term Traditional Owner includes traditional Aboriginal owners (as defined in the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth)), native title holders (as defined in the *Native Title Act 1993* (Cth)) and those with a traditional interest in the lands and waters that make up the NLC's region.

2. Walking together: an equitable partnership in practice

A 30-year plan for NT parks management presents an opportunity to reset the relationship with Aboriginal people. Walking together means Traditional Owners and PWCNT working in partnership to improve our understanding, protection and long-term management of land and sea country. This includes complying with formal agreements to share decision making; recognition and respect of different laws, rights, knowledge and values; working collaboratively to prioritise park management aims; and finding the resources to enable agreed priorities to be delivered.

It is encouraging to see an emphasis in the draft Masterplan on strengthening Traditional Owner decision-making, recognising the value of Aboriginal knowledge to conservation goals, supporting Aboriginal economic development and ensuring cultural protection. However, Traditional Owners have good cause to be sceptical about how these commitments will be put into practice to deliver measurable and timely outcomes: government bookcases are littered with policy documents outlining visionary plans that have not been implemented. Despite well thought through Plans of Management, for example, feedback to NLC over many years and comments from the Forum suggest promised benefits have been poorly and inconsistently delivered to Traditional Owners.

The Parks Masterplan will set long-term, high-level goals and targets for management of the parks estate in the NT. It should also outline how and when it will be implemented and resourced, and commit to implementation that is designed and rolled out in partnership with Traditional Owners.

At the Forum it was recognised by all parties that the success or failure of the Masterplan would depend on building and maintaining strong relationships, ensuring respect between joint management partners and maintaining communication, together with good governance and good co-designed policy, planning and management instruments.

Bipartisan support for both the Parks Masterplan and joint management governance arrangements should be sought, to ensure commitments are not subject to election cycles and to provide long-term environmental outcomes and greater security for the parks estate.

2.1 Regional governance arrangements

Consistent with the idea of *walking together* the NLC suggests that the first element that needs to be co-designed and implemented is a mechanism that ensures Aboriginal voices at the table for all aspects of parks policy, planning and management, including implementation of the Masterplan.

The draft Masterplan commits to putting in place regional governance arrangements to strengthen Traditional Owner decision-making and facilitate direct communication between Traditional Owners and elected government representatives.

Traditional Owners at the Forum supported the establishment of an Aboriginal regional governance group with direct representation to the relevant Minister(s). It was agreed the group should have strategic oversight of parks planning and management, and provide an avenue for Traditional Owners to take part in the decision-making process for distribution of revenue generated through the upcoming Parks Pass.

‘It’s a 30 year plan and we want to oversee it for the next 30 years.’

Traditional Owners agreed the group should include representatives from each park, including parks not currently under joint management.

Traditional Owners saw this group as also being a forum for sharing, learning, supporting each other, and working together to address common issues. This was considered especially beneficial for smaller parks.

A joint management agreement between the NT Government, NLC and CLC was drafted in 2009 but was never executed. It may be useful to negotiate a similar agreement to formalise governance arrangements and address outstanding issues that are not covered by legislation or park leases and agreements.

Meetings between PWCNT, NLC and CLC have also identified the need for an officer level PWCNT policy, planning and management strategic group. This group’s role would be to ensure advice, recommendations and questions raised by the proposed Aboriginal regional governance group are responded to by PWCNT and Land Councils.

Recommendation 1: Resource and establish an Aboriginal regional governance group (or groups) with an active role in the strategic, planning and operational levels of parks management, with Terms of Reference agreed by Traditional Owners and Land Councils by July 2023.

Recommendation 2: Negotiate an overarching joint management agreement with Traditional Owners and Land Councils by December 2023.

Recommendation 3: Work with NLC and CLC to establish an officer level policy and planning advisory group by July 2023.

2.2 Implementation and review of the Parks Masterplan

Given the long timeframe and high-level goals and targets that are characteristic of a 30 year plan, Traditional Owners discussed the importance of ensuring the plan stays on track, and saw this as a key role for the Aboriginal regional governance group. The NLC and Traditional Owners would like to see an outline in the Masterplan of a process to turn the good ideas into good outcomes for Traditional Owners, PWCNT and park users.

Some of the Masterplan’s targets have very long-term timeframes (up to 30 years). Traditional Owners raised the need for monitoring and reporting of progress against targets, and voiced

concerns that this had been poorly done to date in joint management arrangements and park Plans of Management. To avoid this problem under the Parks Masterplan, it is recommended that short- and medium-term actions and performance indicators be identified for each target via a co-designed process and agreed for both joint managed parks and the broader parks estate. All management actions need to be tied to a mandatory participatory monitoring, evaluation, public reporting and improvement mechanism (MERI) within individual Plans of Management. This approach is consistent with existing PWCNT frameworks and simply requires improved co-design and sufficient resourcing and enforcement of an agreed and transparent participatory MERI process.

The draft Masterplan was designed and written by PWCNT staff, with little or no input from Traditional Owners and Land Councils. As a result, it does not capture Traditional Owners' knowledge, ideas and aspirations. Furthermore, Traditional Owners raised concerns that the draft Masterplan does not reflect individual Plans of Management. These issues need to be rectified in the Masterplan's implementation.

The NLC recommends that the Masterplan explicitly state the intention to work with the proposed Aboriginal regional governance group and joint management committees to develop five-yearly implementation strategies, with annual reporting against those strategies to the regional body.

Traditional Owners also suggested that regular review and evaluation of the Parks Masterplan was required. The suggested timeframe for reviews was five years, to align with implementation plan development. Parameters for reviews should be determined by the Aboriginal regional governance group. This review process should also be used to update and align individual Park Management Plans to the Parks Masterplan and Implementation Strategy.

It is important that PWCNT recognises in both the Parks Masterplan and its implementation that the role of Traditional Owners needs to shift from simply being consulted in relation to park management, to becoming co-designers of new approaches to the management of parks. This needs to include not just an operational role, but greater involvement in strategic planning and governance.

Recommendation 4: Ensure participatory implementation, monitoring, evaluation, review and improvement are an integral part of all activities.

Recommendation 5: Work with the Aboriginal regional governance group and joint management committees to develop a five-year implementation strategy focusing on joint management outcomes, by December 2023.

Recommendation 6: Commission an independent review of the Masterplan every five years, overseen by the Aboriginal regional governance group.

2.3 Appropriate resourcing

Parks and reserves in the NT have been woefully underfunded for many years. Participants at the Forum identified the need for a commitment to guaranteed long-term funding to achieve the targets outlined in the Masterplan and deliver outcomes for Traditional Owners, PWCNT and other stakeholders. This must include sufficient funding not only for infrastructure and improving parks access, but to support governance (including joint management arrangements); an adequate level of staffing; and the on-the-ground work of protecting biodiversity and cultural values.

It is important that funding allocated to joint managed parks be transparent, understood by Traditional Owners, and capable of being used for discrete agreed joint management priorities such as governance and cultural induction packages.

To ensure sufficient funding, it is critical that new revenue streams established under the Masterplan not be seen by the NT Government as a replacement for existing operational funding, but rather as a supplement.

In addition to funding, a genuine partnership will require PWCNT to prioritise joint management and ensure staffing levels are sufficient to appropriately support joint management committees.

2.4 Joint management park leases

A genuine commitment to rethinking Aboriginal engagement will require changes to lease arrangements for jointly managed parks to:

- Protect cultural intellectual property and attribute value (economic and institutional) to Aboriginal knowledge and practice;
- Provide mechanisms of accountability to enable Traditional Owners to request information and evaluate performance against lease provisions and joint management aspirations. This should include dispute resolution provisions;
- Set employment targets that are designed to achieve meaningful Aboriginal employment, that is, employment at higher levels of government, rather than mere casual employment which is frequently misidentified as the solution to lack of flexibility and equity in public service employment;
- Enshrine an Aboriginal voice in decision-making that attaches weight to consulting the ‘proper way’. This necessarily includes the provision of information and options (including risks and long-term strategy), affording adequate time for deliberation, and taking account of traditional methods of decision making;
- Recognise the non-economic value of NT parks including their rich cultural and spiritual value, which is inherent in Traditional Owner conceptions of value, and indeed the basis for restrictions to Traditional Owner property rights to use and live on country; and

- Include cultural and environmental protocols that apply to actions and development in jointly managed parks.

Changes to park leases should be considered as part of a review which is coordinated jointly between the NT Government and relevant Land Councils and appropriately resourced to facilitate Traditional Owner engagement in the process. This review should also examine whether the regulatory environment (legislation and supporting policy instruments) is sufficient to support and enforce the provision of lease agreements, for example, reviewing whether public service employment policy is sufficient to support meaningful Aboriginal employment and allow equitable access to employment opportunities.

Traditional Owners at the Forum reminded all of us that while forward planning is important to improve management of the park estate, it is also important to learn from what has happened in the past:

‘Hats off to the old people...who got joint management started’

‘The future is not the future without the past.’

‘Need to look back, to move forward.’

Recommendation 7: Work with the Aboriginal regional governance group and/or Land Councils to initiate a review of existing joint management park lease agreements by July 2023, with the intent to complete this review within twelve months.

3. Comments on the Draft Parks Masterplan

3.1 Overarching comments

3.1.1 Lack of integration across themes

As noted in the NLC submission on the Draft Parks Masterplan Consultation Paper, the NLC believes a more holistic approach to environmental management, consistent with the long-established management of the environment by Traditional Owners, would lead to healthier and more resilient ecosystems, resulting in better protection of biodiversity for the long-term. Such an approach involves managing the environment as a system rather than as component parts, and recognising the inherent links between ecological, cultural and economic values.

The NLC believes this ecologically sustainable development approach is still missing in the draft Masterplan. The themes are largely treated as separate ‘projects’, each with its own goals and targets and very limited recognition of the interactions and co-dependencies among them. For example, there are no goals or targets aimed at managing ecological and cultural values in an integrated way, or recognition that these values cannot be separated in relation to land and park management.

We suggest that all themes, but particularly Recreational Futures and Tourism, need to have ecologically sustainable goals, because all of the themes require environmental and cultural values to be protected and used in a sustainable way. Similarly, Recreational Futures and Tourism can provide economic benefits that, if generated in a balanced and sustainable way, will help environmental, cultural and Aboriginal economic outcomes to be achieved.

Recommendation 8: Recognise the interconnection between the themes and the ecological, cultural, social and economic values they relate to; and outline how they will be integrated in the Parks Masterplan policy, planning and management process.

3.1.2 Emphasis on tourism

Traditional Owners at the Forum observed there is a disproportionate emphasis on tourism in the Masterplan. They were concerned the emphasis on high tourist numbers and revenue generation meant parks with fewer visitors would not be given the support they needed ‘because they aren’t money making operations’ – clearly this should not be the priority for a department established for the purposes of conservation, and the primary aim of NT’s parks estate should not be to increase visitor numbers.

The Territory Economic Reconstruction Commission (TERC) recognised the value of parks and associated tourism as a major contributor to the NT economy. However, tourism relies on the NTs unique ecological and cultural values remaining safe and healthy and NT parks and reserves being maintained to a high standard. The protection of biodiversity and cultural values should be the first priority for parks management in their own right, but they are also fundamental for parks related tourism to succeed. Parks management should not be about balancing tourism, lifestyle, economic development and the protection of values, but about ensuring access and use does not compromise those values. This is not always reflected in the draft Masterplan.

3.1.3 Goals, actions and targets

The following observations are applicable to each theme section in the draft Masterplan. We provide specific examples under individual themes in Attachment 1, but these are not exhaustive; we believe the Masterplan would benefit from addressing these points throughout the document.

Target timeframes: Some of the theme related targets have very long-term timeframes of up to 30 years. The NLC acknowledges that longer timeframes may be needed to enable appropriate consultation, the development and implementation of new policies, or research; however, some are unnecessarily long and do not reflect the urgency of progress that is needed. For example, many of the timelines in the Living Cultural Values and Heritage theme suggest slow progress will be made (e.g. the target for ‘Aboriginal people actively managing key cultural sites across the parks estate’ suggests this will take 30 years).

Aboriginal leadership: It is essential that actions under the cultural values and heritage, joint management and Aboriginal economic development themes be Aboriginal-led through all stages, from planning to implementation and review. This should be stated explicitly in the Masterplan.

Lack of connection between goals, actions, targets and text: In the NLC's view, there needs to be better alignment across these elements. Sometimes the activities under 'what we will do' are not reflected in the targets and vice versa. The NLC recommends clearer connections are made in each theme from goals to targets to actions, and reflected in the introductory text.

Recommendation 9: Throughout the Parks Masterplan, include appropriate target completion dates; recognise Aboriginal leadership of relevant actions; and make clearer connections across goals, targets, actions and text.

3.2 Comments by section

3.2.1 Principles

The Principles provide a useful overview of how the Parks Masterplan will make policy, planning and management decisions and how PWCNT will work with other stakeholders. However, they generally appear to be more like goals (for example, 'presenting inspirational, education and recreational opportunities...') and are overly wordy.

Given the agreed importance of working with Traditional Owners and Land Councils to improve parks management, the NLC believes the Principles would be improved by better reflecting the role of Traditional Owners in managing parks and being consistent with existing principles related to working with Aboriginal people, such as those in the TPWC Act, and the National Agreement on Closing the Gap Priority Reforms.

3.2.2 Living cultural values and heritage

The 'What we will do' section outlines the development of a framework for managing cultural values and heritage. It is important to ensure the protection of cultural information, Aboriginal knowledge and intellectual property, particularly in relation to the development of an information management system. At the Forum, Traditional Owners asked questions like:

'How does the information from old people get kept?'

Designing these systems in partnership with Traditional Owners will enable cultural protocols to be integrated into parks management. This also relates to the point regarding developing appropriate governance systems.

Recommendation 10: Develop protocols for the protection of cultural information, Aboriginal knowledge and intellectual property.

3.2.3 Joint management in partnership with Traditional Owners

The NLC welcomes the range of actions in the draft Masterplan related to strengthening Traditional Owner decision making, facilitating more time on country for both Traditional Owners and PWC staff, and intergenerational knowledge transfer. Many of these actions address areas raised by Traditional Owners as being important and needing improvement.

While Traditional Owners recognised the need for a regional framework, as outlined earlier in this submission, they also emphasised that making improvements to the governance of individual parks is critical.

A genuine joint management partnership requires participatory planning and Aboriginal decision-making approaches to be embedded. To enable this to happen joint management committee governance practices need to be strengthened including:

- at least two committee meetings per year for each park with accompanying Traditional Owners days;
- timely provision of the agenda (at least one month in advance), meeting papers and minutes (within a month of a meeting), with an opportunity for Traditional Owners to change the agenda prior to the meeting;
- annual three-day MERI meetings with Traditional Owner participation; and
- clear lines of responsibility and review for actions.

The Forum highlighted the need for two-way learning for better governance, including improving cultural awareness and building governance skills.

‘We need to teach the younger generation to be leaders, to talk to politicians, to be part of committees and learn about two-way decision making.’

‘If we learn, we become our own boss on our own country’

The NLC suggests the development of governance guidelines and a tailored training package. This ongoing training should better equip PWCNT staff with a strong understanding of Aboriginal governance and decision-making approaches to embed in joint management operations, and should include annual governance training for all joint management committee members.

Traditional Owners noted Plans of Management are not regularly updated and many have missed their expiry date. They called for existing plans to be reviewed and updated to align with commitments in the Masterplan. Planning and reviews need to be conducted in a way that resonates with Traditional Owners and enables a sense of ownership over these processes. The NLC encourages PWCNT to co-design the processes with joint management committees and consider novel ways to engage and communicate the outcomes with Traditional Owners, such as digital/video forms.

A lack of monitoring and reporting back on progress in the plans was also a significant issue raised at the Forum. The plans lack a process/framework to report back to Traditional Owner

committee members regarding progress or challenges in implementing the plan. This lack of information makes it difficult for Traditional Owners to provide input and advice on the adaptive management of the park.

Traditional Owners for parks that are not currently jointly managed also seek opportunities to be involved in park decision making and transition to joint management. This is particularly important where there are communities and outstations within the park boundary.

‘It’s a priority that parks that aren’t joint managed should be.’

‘We want to have more say, more rights, more communication.’

The NLC seeks to work with PWCNT on a process for additional parks to transition to joint management, in particular Keep River National Park.

The NLC welcomes the proposal in the draft Masterplan to hold joint management forums for each Land Council region every two years. The Forum was very well received by Traditional Owners and PWCNT staff, with all parties agreeing these types of gatherings needed to happen regularly, particularly to support effective long term planning:

‘I think we should do this more often, not years apart.’

‘A good meeting...could add on two or three days...lots of good things came out of the meeting...which Parks has taken on board’

Recommendation 11: Build the governance capacity of joint management partners, including development of a governance training package by 2024 and ongoing training for committees.

Recommendation 12: Ensure good governance practice in joint management operations, including Aboriginal decision-making, regular joint management committee meetings with timely provision of meeting documents, and annual MERI meetings.

Recommendation 13: Review existing Plans of Management in collaboration with Traditional Owners.

Recommendation 14: Work with Land Councils and Traditional Owners to identify pathways for additional parks to move to joint management.

3.2.4 Aboriginal Economic Development

The NLC welcomes the commitment to provide funding for fee for service and flexible employment programs (FEPs) for all parks and reserves. The NLC submission on the Parks Masterplan Consultation paper highlighted that employment of local Aboriginal people is fundamental to creating economic benefits, as well as being a key element in the success of joint management. This issue, and the impact in recent years of removing FEP funding, was discussed at length at the Forum.

Traditional Owners raised serious concerns with the adequacy of employment processes and programs in parks. While supportive of a reinstatement of FEP, they requested more involvement in the design of this program to ensure cultural safety provisions, such as appropriate mentoring and supervision, are included. Recruitment and on-boarding of new staff also needs to be reviewed and improved.

More traineeships and pathways to employment are needed, alongside an improved notification system of job vacancies to Traditional Owners, including through joint management committees. Traditional Owners emphasised they would like options to work in all aspects of park management (e.g. administration, finance, management), not only ranger work. Employment is also an important way to involve more young people in park management, which is a high priority for Traditional Owners.

‘For [Traditional Owners] to go work in the park it gives them better self-esteem’

As identified in Section 2.4, commitment to Aboriginal employment will likely require review of employment policies and procedures (and legislative reform if necessary) to ensure equitable access to employment and, where possible, the elimination of bureaucracy – which in itself can be discriminatory.

Joint management responsibilities need to be better embedded in PWCNT recruitment and employee management processes. Traditional Owners should sit on employment panels and regular cultural training for all staff should be standard. Ability to fulfil joint management duties could be better assessed in recruitment processes and staff performance assessments. Improvements could be made through the reinstatement of joint management officers within PWCNT regions and more transparency around park work program planning.

Recommendation 15: Work closely with Traditional Owners and Land Councils to review and reform employment practices and actively build pathways for meaningful local Aboriginal employment.

In addition to direct employment and pay-for-service arrangements with Aboriginal ranger groups, discrete funding for each park and reserve could support the development of small Traditional Owner enterprises. As one Traditional Owner at the Forum noted:

‘We have the equipment. We could work with the [Aboriginal ranger group] to clear roads, keep the campground clean, instead of getting expensive contractors from town.’

This approach also supports connection to country, as well as a greater presence that potentially reduces the risk of illegal activities.

In keeping with the partnership principle, joint management committees should have oversight of park funding, including identifying spending priorities and overseeing casual employment and engagement of contractors. As noted under the Joint Management theme, committees

would need to meet more frequently than is currently the case in order to successfully take on this role.

To allow Traditional Owners to fully leverage the benefits of joint management, PWCNT should also work with other NT Government agencies to ensure broader enterprise development opportunities are made available for Traditional Owners, including in infrastructure development and tourism development.

Recommendation 16: Give joint management committees responsibility for management of their park's discretionary funding, including for casual employment and contracts.

The NLC supports Aboriginal economic development that is consistent with Aboriginal legal rights, is done in collaboration or partnership with Traditional Owners, protects identified environmental and cultural values and delivers identified priority social and economic outcomes. In our submission on the Parks Masterplan Consultation Paper, the NLC recommended development of a Traditional Owner-led investment portfolio, via ground-level consultation. The thinking behind this recommendation was to ensure Traditional Owners have more input in decision-making about how their land is used and managed, by having the opportunity to propose their own development ideas. A Traditional Owner-led investment portfolio would aim to identify and document ideas that could be presented to PWCNT and other possible investors, rather than waiting for developers to come to Traditional Owners seeking approval for projects.

Aboriginal economic development (and park management overall) would benefit from PWCNT working with Traditional Owners and Land Councils to explore market scenario planning /modelling. The aim of this work would be to allow an evidence-based approach to forecasting economic benefits to Traditional Owners, PWCNT and partners or stakeholders. Such models would allow forecast economic benefits to be better evaluated as part of the parks planning and management targets outlined in the draft Masterplan; they would also facilitate transparency, communication and MERI.

Recommendation 17: Work with Traditional Owners and Land Councils to develop an investment portfolio for jointly managed parks and other Aboriginal land where there is an interest in being part of the parks estate, and to develop market scenario planning models to evaluate proposed Aboriginal economic development projects.

3.2.5 Growing the estate

PWCNT has indicated it wants to grow – or in some cases consolidate – the parks estate but does not set out in the draft Masterplan how it intends to review the existing estate and determine what areas it will keep and possible new areas to be added. Some Traditional Owners may be interested in their land being part of the parks estate via a lease or agreement. The NLC suggests a review be undertaken in collaboration with Traditional Owners and Land Councils, including investigation of:

- which areas PWCNT is not interested in retaining in the parks estate, and what parts of the NT it is interested in making part of the parks estate; and
- transition plans for both removing and adding land to the parks estate.

Recommendation 18: Include targets in the ‘Growing the estate’ theme include targets to develop and implement a co-designed parks estate review plan, and to identify possible park management models (e.g. Aboriginal owned and managed; privately owned and managed; Aboriginal owned and jointly management).

3.2.6 Park access

The NLC is concerned about the proposed action ‘Where Traditional Owners, Native Title holders or sacred site custodians believe access is inappropriate for cultural reasons, *and this can be supported by an Aboriginal Areas Protection Authority declaration, a site or experiences will be considered for closure*’ (emphasis added). Where Traditional Owners identify that access to a site is inappropriate, restrictions should be put in place.

The NLC does not support this action as currently written. Any genuine commitment to walking alongside Traditional Owners and affording a voice in decision making requires the attribution of at least a limited degree of control of access to Traditional Owners, particularly in circumstances where public access risks damage to cultural values. The NLC believes that PWCNT and Traditional Owners should agree on a protocol for restrictions to public access that is responsive and takes account of competing interests and values.

Furthermore, the target related to this action is inadequate: ‘By 2027, a well-defined and negotiated list of where access is currently proposed or occurring where Traditional Owners believe access is inappropriate for cultural reasons is developed.’ Sites should be identified and steps undertaken to address the inappropriate access. Anything less than this presents an unacceptable risk to cultural sites.

Recommendation 19: Amend the action and target related to culturally inappropriate access to better reflect the rights of Aboriginal people and commitment to equitable partnership.

3.2.7 Specific comments on the draft Masterplan

Attachment 1 provides specific comments on the text of the draft Masterplan, by section. The NLC recommends the draft Masterplan be amended in accordance with these comments.

Attachment 1: Specific comments on the draft Masterplan

Introductory sections

- The NLC recommends the inclusion at the start of the document of a section outlining related legal and policy instruments. (e.g. TPWC Act, Land Rights Act, Native Title Act, National Agreement on Closing the Gap, NT Aboriginal Employment Strategy 2021-25, Everyone Together Aboriginal Affairs Strategy 2019-29.)

Natural biodiversity values

- Our Goals (p11): Suggest changing the working of the second dot point to 'in a changing climate'. The third dot point should read 'Aboriginal understanding and knowledge', rather than 'Traditional'.
- Introductory text (p13): The second paragraph states 'To address knowledge gaps, collaboration with universities, non-government orgs and industry will become more important'. Traditional Owners and the wider community should be included here too.
- What we will do (p14): A number of actions don't appear to be reflected in the targets, e.g. 'Seek landscape scale partnerships to address threats and ecosystem connectivity issues ...' and 'Establish and maintain a 'two-way' approach to conservation management....'.
- What we will do - Maintain and improve biodiversity management (p14): The NLC strongly supports the second dot point. We suggest expanding on this point in the introductory text for this theme, including a reference to Aboriginal knowledge and specifying the engagement of Traditional Owners and Aboriginal ranger groups for this work.
- What we will do - Build resilience in species and ecosystems (p14): We note the research program in the first dot point should also inform habitat targets and plans of management referred to in the preceding section. The third dot point refers to 'landscape scale partnerships'; it is unclear what this means.
- Targets (p15): Suggest amending the wording of the fourth target to recognise the need for co-design and include consideration of cultural values. e.g. 'By 2027, a co-designed monitoring, evaluation, reporting and improvement program for natural and cultural values is designed and being applied to all parks and reserves; and is used to guide PWCNT strategies and management action plans.'

Living cultural values and heritage

- Introductory text (p17): The second paragraph states 'cultural values are interlinked with biodiversity and traditional knowledge should be employed in the management of both'. This is an important point but does not appear to be reflected sufficiently in either the actions under 'what we will do' or the targets.

- What we will do - Protect and respect cultural heritage values (p17): This section talks about protection and preservation of cultural sites from the impacts of increased visitation. Suggest after 'increased visitation' adding 'climate change and other risks'.
- What we will do – Assist Aboriginal people in managing... (p17): With regard to developing a list of culturally based economic opportunities for Aboriginal people, it is essential this work be led by local Aboriginal people. This has not been made clear.
- Targets (p18): The NLC requests the addition of 'where desired by Aboriginal custodians' at the end of the seventh target ('by 2035'...)

Joint management in partnership with Traditional Owners

- What we will do – Ensure adequate resources are available (p22): NLC strongly supports the last two dot points in this section but notes these should apply across the parks estate, and may fit better under the Aboriginal economic development theme. Further, they should be reflected in the text as well as the actions.
- Targets (p23): The third target refers to capturing new legislation. Legislation doesn't appear to be mentioned in the text or actions and it is unclear what this is referring to.

Aboriginal economic development

- Introductory text (p32): This section uses terms such as consultative and 'advice and involvement of Aboriginal people'. It is essential this work be driven by Aboriginal people. The last paragraph states 'a budgeted commitment is proposed'. This wording is unclear. Suggest reframing as a clear commitment.
- What we will do – Establish an Aboriginal economic development policy framework (p33): These actions could be substantially strengthened. The first dot point should already be happening in accordance with NT Government policies. Suggest amending the second dot point from 'makes opportunities accessible' to 'facilitates opportunities for...' There doesn't appear to be a target linked to these actions.
- What we will do – Create Aboriginal economic development action plans (p33): Suggest amending to 'create *and implement* Aboriginal economic development plans'. Similarly, in the first dot point 'develop ~~a list of~~ *and implement* Aboriginal economic development projects'. Again, there doesn't appear to be a linked target.
- What we will do – Support Aboriginal owned and operated tourism businesses (p33): Suggest amending the second dot point to remove 'in jointly managed parks'.
- Targets (p33): For clarity, suggest replacing 'underway' in the third target with 'being implemented'.

Recreational Futures

- Goals (p24): Suggest the goals reflect principles of ecological sustainability, similar to the wording in the Tourism theme. E.g. the second goal could be reframed as 'Ecologically sustainable, steady and managed growth in recreational visitors to parks

that is consistent with the Parks Masterplan principles and balanced against the goals of the other themes.’

- Targets (p27): With regard to the fourth target, there should be caution around setting a target to deliver new recreation offerings. This is only appropriate where supported by Traditional Owners. Re. the last target, it is unclear what this means.

Tourism

- Targets (p30): Regarding the first target, it is unclear how Traditional Owners are being included in developing the investment policy. This could be referred to the Aboriginal regional governance group. The last target must be Aboriginal led.

Growing the estate

- Goals (p38): There is no reference to environmental and cultural values being supported by an expanded parks estate. Suggest the wording be changed to better reflect the principles and broader aims outlined in the draft Masterplan.
- What we will do – Strengthen and expand the NT system of parks (p40): The first dot point proposes a baseline understanding of natural values. Suggest cultural values also be included, led by Aboriginal people.

Partnerships

- What we will do – pursue appropriate private investment... (p36): Consistent with the TERC final report, the first dot point should be amended to be clear that the development and investment framework will be ‘co-developed with Traditional Owners’. This should include the co-design of guidelines for private and joint investment and the co-design of governance models for partnerships, park management and economic development on the park estate.
- Targets (p37): As above, the first target should be amended to reflect co-development, and the timeline extended to allow for this. The timeline for the third target may also need to be extended to ensure appropriate Traditional Owner participation.

Park access

- There is no mention of mitigating the risks of increased access (e.g. spread of weeds). This should be addressed.
- Our goals (p42): In the first dot point, core infrastructure should be maintained in all parks and reserves, not only those with high volume tourism. This was a concern raised by Traditional Owners at the Joint Management Forum.
- What we will do - build on existing or new infrastructure (p44): In the first dot point, road infrastructure should also be prioritised where this is needed to support management of country.
- Targets (p45): Regarding the eighth target, 2037 is too long a timeframe to ensure access is culturally appropriate and sites are not overused.

Attachment 2: Jointly managed parks in NLC region

PARK OR RESERVES	GOVERNANCE
1. Fogg Dam Conservation Reserve	Adelaide River Conservation Reserves Joint Management Committee
2. Black Jungle / Lambells Lagoon Conservation Reserve	
3. Harrison Dam Conservation Reserve	
4. Melacca Swamp Conservation Area	
5. Mary River National Park	Mary River Joint Management Committee
6. Djukbinj National Park	Djukbinj Joint Management Committee
7. Garig Gunak Barlu National Park (Cobourg Marine Park)	Cobourg Peninsula Sanctuary and Marine Park board
8. Garig Gunak Barlu National Park (Gurig National Park)	
9. Judbarra National Park	Judbarra Joint Management Committee
10. Gregory's Tree Historical Reserve	
11. Barranyi (North Island) National Park	Barranyi Joint Management Committee
12. Giwining / Flora River Nature Park	Giwining/ Flora River Joint Management Committee
13. Nitmiluk (Katherine Gorge) National Park	Nitmiluk Board of Management
14. Tjuwaliyn (Douglas) Hot Springs Nature Park	To be determined
15. Umbrawarra Gorge	
16. Stray Creek Reserve	