



# Nitmiluk National Park

Plan of Management July 2014



*Photo courtesy of Tourism NT*

**PARKS AND WILDLIFE COMMISSION OF THE NORTHERN TERRITORY**

This document is available online at: [www.parksandwildlife.nt.gov.au/manage/plans/katherine](http://www.parksandwildlife.nt.gov.au/manage/plans/katherine)

Published by the Parks and Wildlife Commission of the Northern Territory  
ISBN 978-1-921937-34-7

## **Acknowledgements**

This Plan is the result of extensive consultation between the Jawoyn Traditional Owners and the Parks and Wildlife Commission of the Northern Territory. Members of the Nitmiluk National Park Board and Jawoyn Association represented the views and interests of the Jawoyn Traditional Owners. Valuable contributions have also been made by Tourism NT, along with the wider tourism industry through surveys and workshops held during the Plans preparation. All contributions have been gratefully received.

## Foreword

The words of Mr Bangardi Lee, Chairman of the Nitmiluk National Park Board in 2002 when the second Plan of Management came into operation, still ring powerful and true to this day. His words were:

“The Jawoyn Aboriginal people lived on the land that is now Nitmiluk National Park for thousands of years. We looked after the land according to *Puwurr*, our Dreaming and lived off its resources.

After a major struggle, spanning ten years, our Elders had ownership of Nitmiluk returned to us in 1989. We were happy, as we had always told the courts and the people of Katherine when we lodged our Land Claim, to keep it as a National Park. To this end we negotiated the establishment of the *Nitmiluk (Katherine Gorge) National Park Lease* with the Northern Territory Government which facilitated joint management arrangements with the Parks and Wildlife Commission. This legislation has ensured that we have been able to once again look after the land and its wildlife in accordance with our traditional law and to maintain the traditions of our ancestors. My brother, and first Chairman of the Nitmiluk Board, Bangardi Nagarimayn, expressed our feelings when he said at the Nitmiluk Title Handover Ceremony on 10 September 1989:

*“We are here today, we have our land back, and we have this piece of paper that tells the world that this is Jawoyn country. But we can’t live on a piece of paper. Paper is a whitefella thing, and means nothing unless there is respect for people and for country. It means nothing unless there is a future.”*



Phyllis Winyjorrotj watching on as Chief Minister Marshall Perron hands Jeffrey McDonald the signed handover paperwork

The Park is also a key to our children’s future, providing training, employment and commercial opportunities. We welcome also the many people from over the world that come to see Nitmiluk. We want them to enjoy the Park and learn about Jawoyn culture and how we own and manage the Park.”

– Mr Bangardi Lee, 2002

The Jawoyn Traditional Owners of the Park are proud to release the third Plan of Management for Nitmiluk National Park. This Plan of Management is important because it tells us what we want to do. In five or six years' time we can have a look and see if there is something we have missed. See if we have done what we said we would do. With the first Plan of Management, none of the original Jawoyn Board members are alive today but from that Plan we can see what they said they wanted to do. What they saw as the future. And so for our kids to finish up what our visions are and to make sure we have finished up what our Elders vision were. That is why we have made this Plan for the Park, why we need this Plan.

– Jawoyn members of the Nitmiluk National Park Board, 2014



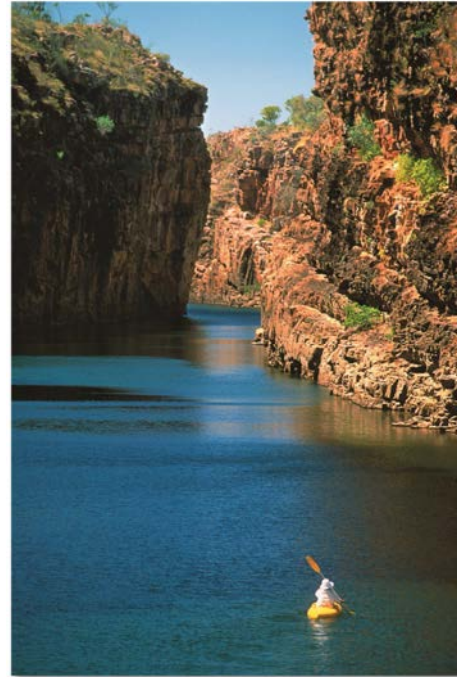
## Executive Summary

### Vision for the Park

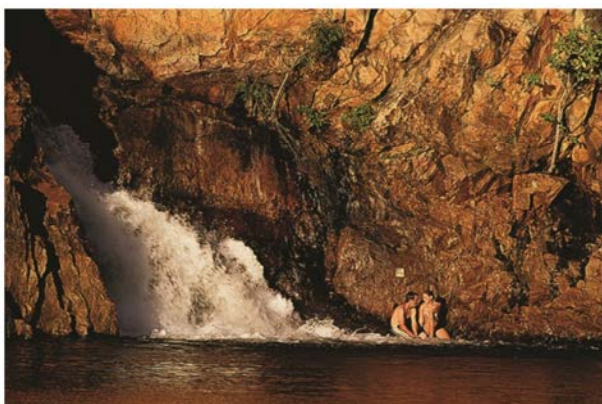
*'Maintain the balance. We must always think about keeping natural park experiences, culture, as well as tourism and commercial business' - Jawoyn Traditional Owner*

The Jawoyn Traditional Owners of the Park and the Parks and Wildlife Commission are working together in a spirit of cooperation in accordance with the following principles:

- Nitmiluk (Katherine Gorge) National Park was established for the benefit and enjoyment of all people, and visitors are encouraged to understand, appreciate and enjoy the Park's natural and cultural heritage;
- Jawoyn culture is an ancient and dynamic living culture that is valued and fostered with Jawoyn Traditional Owners consulted and involved in all areas of Park management;
- Knowledge and skills are exchanged and shared in the management of the Park and management processes are continuously improved through monitoring and evaluation;
- The Park is developed in sustainable and appropriate ways;
- Employment and business opportunities for Jawoyn Traditional Owners is increasing, with the ultimate aim to be a majority of Aboriginal staff working on the Park; and
- Skills, resources and knowledge are shared with neighbouring Jawoyn Ranger groups to achieve biodiversity protection in the Park and across adjacent Jawoyn land.



Canoeing in the Gorge (photo: Tourism NT)



Edith Falls at Leliyn (photo: Tourism NT)

### Management Priorities

Nitmiluk National Park's Board is working to:

- Maintain a fair and effective Nitmiluk partnership with all member voices heard and Aboriginal culture treated with sensitivity and respect;
- Provide high-quality, easily accessible experiences for tourists and options for those wanting experiences away from the crowds.

- Protect Jawoyn Traditional Owner knowledge and values and integrate these into how the Park is managed;
- Retain and improve the Park's internationally significant biodiversity values, particularly endemic and threatened plants and animals;
- Develop, promote and provide more employment and business opportunities for Jawoyn Traditional Owners on the Park.

## Jawoyn People - Traditional Owners and Board Members

The Traditional Owners of Nitmiluk National Park call themselves the Jawoyn People. They have lived on the land that is now Nitmiluk National Park for thousands of years and have a close connection with their land.

Connections are continued by looking after important sites and by passing on knowledge to young people. Nitmiluk National Park includes Aboriginal sacred sites, significant areas, rock art and archaeological sites, which is evidence of a long relationship with country.



Jawoyn Banatjarl ladies: Margaret, Dianne & Lily

Nitmiluk National Park has been managed by the Parks and Wildlife Commission in agreement with the Jawoyn Traditional Owners since 1989.



The community enjoying Nitmiluk Gorge at the 2006 Chinese Dragon Boat Races

The character of the Park and its appeal to visitors has significantly improved since Jawoyn Traditional Owners have become actively involved in managing the Park.

## About the Park

Nitmiluk National Park is set among 295,000 hectares of spectacular sandstone shrubland country in the southern part of the Arnhem Land Plateau. The two visitor hubs of Nitmiluk (Katherine) Gorge and Leliyn (Edith Falls) are located a short drive from the township of Katherine. Approximately 249,000 people visit the Park each year.

The Park's main entrance is located 30 km northeast of Katherine via a sealed road. Katherine is located 310 km south of Darwin along the Stuart Highway.

Leliyn on the western side of the Park is reached by turning off the Stuart Highway 42 km north of Katherine then following a sealed road for a further 19 km.

## Visitors

Nitmiluk National Park is home to Nitmiluk Gorge, a series of 13 majestic gorges that visitors can walk, swim, canoe, boat or see from a helicopter.

Most come to see the sandstone gorges that turn shades of purple and orange at dusk and dawn, the waterfalls at Leliyn, or to complete the Jatbula Trail, a 5-day overland track that follows ancient Jawoyn songlines and weaves through spectacular scenery and past idyllic swimming holes. Culture is well preserved, and sacred sites and rock art dot the Park.

***'I want to see changes, but not too much. We want to keep this Park natural, special, so tourist can know***

***Jawoyn culture is still here'***

***- Jawoyn Traditional Owner***



New short walks are proposed (photo: Tourism NT)

*Objectives for the Park are to:*

- Provide high-quality, world class experiences where visitors can enjoy and respect the Parks cultural and natural values;
- Actively promote an understanding of and respect for Jawoyn culture, history and role in management of the Park;
- Ensure visitors feel welcome, safe, inspired and highly satisfied, and;
- Regularly engage with the tourism industry.

***We should keep thinking about what we can do there (for visitors). Need to dream more, be more open to possibility'***

***- Jawoyn Traditional Owner***

*Key management directions are to:*

- Maintain and present major visitor areas to a high quality standard;
- Work closely with tourism operators so the best possible standards in visitor service are provided; and
- Develop new facilities and activities to increase the range of visitor experiences and relieve overcrowding.



Taking in the views from Baruwei Lookout

## Plan proposals

Tourism is a key economic driver for Katherine and Nitmiluk National Park is the most popular attraction in the region. The Plan proposes a number of new facilities and activities for Nitmiluk National Park that will enhance the Park's reputation as a premier tourism destination, ease pressure on highly visited sites, and protect the Park's natural values.

Proposals include:

- Development of a multi-functional



Jawoyn rock-art at the Amphitheatre

‘Leliyn Centre’ to replace the Edith Falls Kiosk;

- A pilot cycle trail on the plateau, south of the Nitmiluk Gorge;
- New short walks at Nitmiluk Gorge and Leliyn; and
- A new carpark for Nitmiluk Gorge.

The Plan also identifies the potential for:

- New visitor site/s for the Park, including development of the Northern Riverbank with a bridge from the Nitmiluk Visitor Centre. Developments would cater for current and future demand, help disperse visitors across the Park and improve visitor experience; and
- A long distance walking trail linked to Kakadu National Park and a proposed new visitor site in the east of the Park.

### **Cultural**

Nitmiluk National Park is a cultural treasure. The many art and cultural sites through Nitmiluk National Park are testimony to past generations of Jawoyn and

to the time of Puwurr when the land was created. This country is sacred and linked with Jawoyn religion and Law. The Park contains many Indigenous Heritage places which must be protected.

***‘Culture is number one. It’s everything. It’s ceremony, lifestyle, how you learn to have respect for people and land’***  
*- Jawoyn Traditional Owner*

*Objectives for the Park are to:*

- Protect significant sites and Indigenous Cultural and Intellectual Property;
- Enable Jawoyn Traditional Owners to fulfil their cultural responsibilities; and
- Continue to include Indigenous knowledge, skills and interests into management programs.

*Key management directions are to:*

- Develop and implement a Cultural Heritage Management Plan; and
- Incorporate Indigenous knowledge and practice into land management programs.

### **Natural**

Nitmiluk National Park has a rich variety of landscapes and a large number of plants and animals, including threatened species and species found nowhere else in the world. The Park’s natural assets have international and national conservation significance.



Leichhardt’s grasshopper



The greatest threat to the Park's natural values is frequent landscape fire. Understanding how fire, feral animals and weeds impact on the Park's plants and animals and how these can be effectively managed is key to protecting the natural assets.

*Objectives for the Park are to:*

- Protect and maintain the natural values of national and international significance including sandstone and open woodland communities, plant and animal diversity and significant species such as the Gouldian finch and Leichhardt's grasshopper; and
- Manage fire, feral animals and weeds to reduce their impact on the Park's biodiversity.

*Key management directions are to:*

- Protect the Park's plants and animals by controlling fire, feral animals and weeds.

## Intent of the Plan



Exploring Nitmiluk Gorge by boat tour (photo: Tourism NT)



Hooded parrots

***'It's good to have a Plan, a vision, so we know where we're heading'***  
***- Jawoyn Traditional Owner***

The Plan of Management for Nitmiluk National Park gives direction for the day-to-day management of the Park. It sets management objectives, addresses current issues and proposes measures to guide management and development of the Park over the life of the Plan. It also provides a basis against which management performance is measured.

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## 1. Introduction

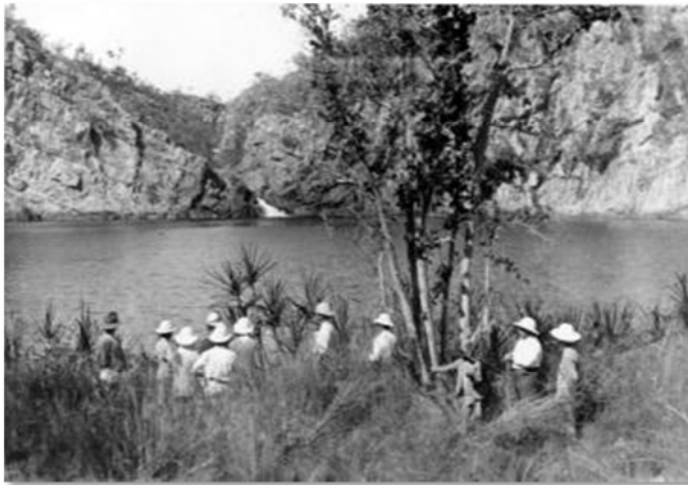
***'This is Jawoyn country and we welcome you. We want to give visitors that come to our land an experience. But remember, visitors need to respect this country' - Jawoyn Traditional Owner***

Nitmiluk National Park (the Park) is located 30 kilometres north-east of Katherine via a sealed road. The Park covers approximately 295,000 hectares and includes part of the Arnhem Land plateau along with sections of the Katherine, Ferguson, Edith and King Rivers. The Park is an ancient landscape shaped by water, with broad valleys and deep gullies as well as the Park's centrepiece, the 13 kilometre long gorge system. With 100 metre high red sandstone cliffs rising vertically from the river along much of its length, the Nitmiluk Gorge is an awe-inspiring natural wonder.

Nitmiluk Gorge and Leliyn (Edith Falls) have been managed as protected areas since the early 1960's. In 1978 the Jawoyn Traditional Owners lodged a claim over the lands. After a number of hearings and many years the land (NTP 3629) was officially recognised as Indigenous land and ownership was granted to the Jawoyn Aboriginal Land Trust. The land was 'handed back' to the Jawoyn People on 10<sup>th</sup> September 1989. On the same day the Jawoyn Traditional Owners signed an agreement to lease the land back to the Government to be managed as a National Park in partnership with the Parks and Wildlife Commission of the Northern Territory (Parks and Wildlife Commission).

***'I was a kid when that Park hand-back happened. I was too excited, it was more than words. It was like we'd lost something and then someone found it again. We were all celebrating, us kids were dancing. I had goosebumps!' - Jawoyn Traditional Owner***

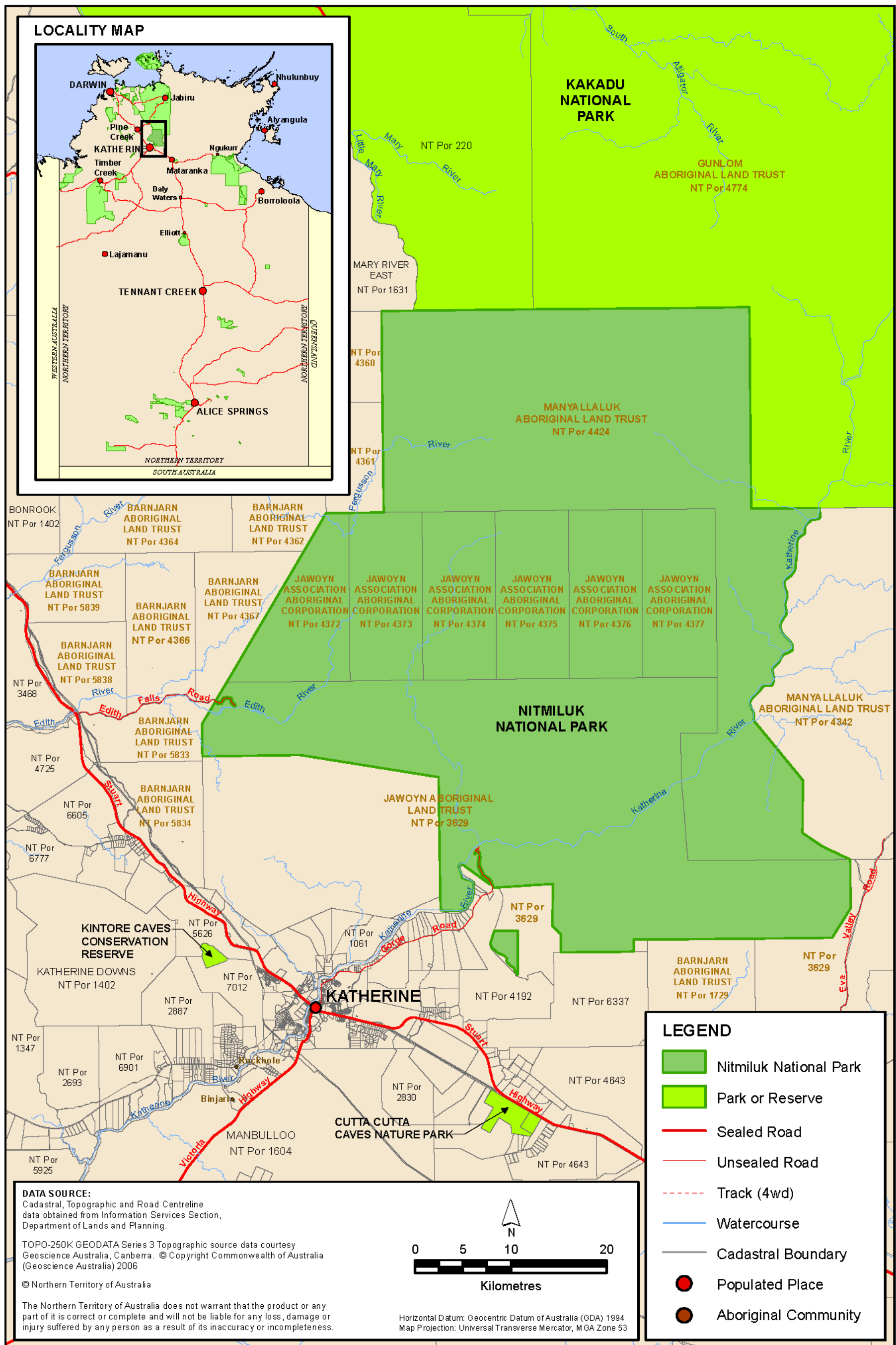
A further six portions of land (NTP 4372-4377) vested in the Jawoyn Association Aboriginal Corporation (formerly known as Bambalmok Aboriginal Land Trust) were officially added to the Park under lease in September 1994. In addition, land tenure negotiations between the Jawoyn Association, Northern Territory Government, Northern Land Council, Commonwealth Government and the mining company Zapopan N.L. concluded in January 1993 resulting in the Mt Todd Agreement which led to the addition to the Park of land (NTP 4424) owned by the Jawoyn People through the Manyallaluk Aboriginal Land Trust.



Edith Falls in the early 1900's

This is the third Plan of Management for Nitmiluk National Park to be prepared under Section 20 of the *Nitmiluk (Katherine Gorge) National Park Act* (Nitmiluk Act [see Appendix 1]). This Plan was prepared by the Nitmiluk (Katherine Gorge) National Park Board (Nitmiluk Board) with contributions from the Jawoyn Traditional Owner's and the Parks and Wildlife Commission, along with input from the wider community, including Tourism NT. It will remain in force for a period of ten years unless replaced by a new plan or amended in accordance with the Nitmiluk Act.

Map 1. Park Location and Neighbouring Tenure



## 1.1 Partners in Park Management

Managing the Park through the Nitmiluk Board is primarily about Jawoyn Traditional Owners and the Parks and Wildlife Commission working together as equals to make decisions about the Park.

***'I think it's a good thing for us to work together as a group. It's been a good thing for Jawoyn, and Parks are learning from us too'*** - Jawoyn Traditional Owner

The Park's many land portions are held by three Aboriginal Land Trusts on behalf of Jawoyn Traditional Owners under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (ALRA). Each of the Park's land portions have been leased to the Conservation Land Corporation for the purpose of a National Park for 99 years. This Plan of Management has been developed by the Nitmiluk Board under the Nitmiluk Act. The principles, rights and responsibilities of the Nitmiluk Board and the Parks and Wildlife Commission in their management of the Park are outlined in the Nitmiluk Act.

### About the Jawoyn Traditional Owners

The Traditional Owners of Nitmiluk National Park identify as Jawoyn. For thousands of years before European arrival the Jawoyn Traditional Owners moved freely about their country hunting, gathering and performing ceremonies on their land. Each Jawoyn clan managed land, the sum total of which stretched over 43,000 square kilometres. This land is roughly located south-east and north from the town now known as Katherine.

***'Jawoyn is a tribe, not just an association. We are a people, a nation'***  
- Jawoyn Traditional Owner



Edith Falls in the early 1900's

#### *Jawoyn Law*

To this day Jawoyn Traditional Owners see themselves as linked to and holding their lands through Jawoyn Law which was given to them in the time called 'Puwurr' (creation or Dreaming). The Jawoyn Traditional Owners describe their law as follows:

***'It was during this time (Puwurr) that the world was made and the rules for proper behaviour were laid down'***

During Puwurr, Dreaming beings in the form of humans, animals and plants brought the landscape to life by 'putting themselves' in the country. They travelled the land, above and below the ground, giving names to places and specifying dangerous areas and sites to avoid. They gave the country its language and in doing so designated which people would belong to it.

Proof of the time of Puwurr, along with an individual or group's place within Jawoyn Law, is alive in language, sacred songs, stories, and dances. The Dreaming beings and their actions can be seen in features of the landscape (sacred sites). These are mapped onto the landscape and are proof to Jawoyn Traditional Owners of their membership, rights of ownership and responsibilities for country.

### *Jawoyn language*

Before European people settled in the area, Jawoyn language was spoken with several dialects recognised. Colonisation and settlement over much of Jawoyn Traditional Owner land means language is spoken a lot less these days. Speakers of other Indigenous languages have also moved to the area. Jawoyn language is now one of many languages spoken in the Katherine Daly region.

### *Connection to country*

All Jawoyn Traditional Owners have a responsibility to 'look after' their land and the sites within it. The kinds of responsibilities may vary by place. Some responsibilities are toward country in general rather than toward particular sites. This is the way Jawoyn Traditional Owners regard, for example, ceremonies. Regularly performing ceremonies is part of looking after country and connection to country. All senior Jawoyn Traditional Owners have a duty to teach other Jawoyn about country. Knowledge of this kind has high value. One of the greatest compliments one Jawoyn can pay another is:

**'That one knows the country right through'**

Passing on knowledge also means passing on the essence of 'Jawoynness' itself. Education responsibilities are generally carried out quite informally. Talk about 'country' is a regular part of casual conversation and young people are exposed to large amounts of it in the course of their everyday lives.

### *Cultural change*

Social and cultural changes amongst Jawoyn Traditional Owners were gradual in the past, however European settlement led to big changes. The biggest impact was high death rates. Some groups joined together to try and keep social structures and responsibilities in place. Increasingly complex cultural and social connections resulted and there were changes in where and how people lived, either voluntarily or by force. Many groups moved to stations and town communities, often not their traditional lands. This has had a major impact on relationships and connection to country.

Today, Jawoyn Traditional Owners live in communities at Jodetluk on Gorge Road, at Rockhole west of Katherine, at Kalano beside the Stuart Highway, and at Werenbun on Edith Falls Road. Many other Jawoyn Traditional Owners are to be found scattered throughout Katherine as well as at Barunga, Beswick, Manyallaluk, Kybrook and Jilkmingan communities.

Although Jawoyn Traditional Owners now lead a more inactive life with occasional longer bush trips, there is continuing use of and connection to country. Hunting and fishing in and outside the Park occurs, as do ceremonies. Jawoyn Traditional Owners continue to respect Jawoyn Law in the tradition of their ancestors.

### *Jawoyn Association Aboriginal Corporation*

The Jawoyn Traditional Owners established the Jawoyn Association Aboriginal Corporation (Jawoyn Association) in 1985 to help express their views and goals to others. The Association aims for self-reliance and financial independence for Jawoyn Traditional Owners so they can control their own future. The Association represents Jawoyn Traditional Owners in the management, protection, control and development of Jawoyn traditional lands. It also provides support with social, cultural, economic and political matters.

No one particular clan group was identified as the Traditional Owner of Nitmiluk National Park and so the Jawoyn Association was nominated to be the representative of all Jawoyn People. The Jawoyn Association ensures all clans are consulted and involved in the management of

Nitmiluk National Park.

### *Northern Land Council*

The Northern Land Council is an independent statutory body created under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)*. The Land Council's role is to ensure, as far as possible, that Aboriginal culture, traditions and law are respected and followed on Aboriginal land, that the relevant Aboriginal people make informed decisions, and that commercial and resource exploitation agreements are fair. If additional land not included in the Lease were to be added to Nitmiluk National Park, the Land Council must be satisfied that the relevant traditional Aboriginal landowners understand the nature and content of the Lease that would apply to the land for inclusion within the Park and that the traditional Aboriginal landowners agree to it. In addition, the Northern Land Council may, with the consent in writing of the Jawoyn Association, perform the functions of the Jawoyn Association as outlined within the Nitmiluk Act.

### **About the Parks and Wildlife Commission**

The Parks and Wildlife Commission conserves the natural and cultural values of 90 parks and reserves in the Northern Territory. Park operational staff are based at Leliyn and at Nitmiluk Gorge.

The Parks and Wildlife Commission recognises that Nitmiluk National Park is a very important Park amongst the Northern Territory's conservation estate. The Parks and Wildlife Commission is dedicated to protecting Park values while providing high-quality nature-based recreation opportunities for visitors. The Parks and Wildlife Commission is committed to engaging the tourism industry and working with the interests of the broader community. It is also committed to seeing that Jawoyn Traditional Owners benefit culturally, socially and economically from managing the Park as far as possible. Like the Jawoyn Traditional Owners, the Parks and Wildlife Commission are optimistic about the future.

## **1.2 Zoning Scheme**

### **Objectives for the Park**

- Protecting the Park's values and rights of Jawoyn Traditional Owners whilst encouraging public enjoyment, education and recreation, in accordance with the zoning scheme.
- Making informed, consistent, transparent and accountable decisions in accordance with this Plan, including the zoning scheme, whilst allowing Jawoyn Traditional Owners to fulfil their cultural responsibilities.

Nitmiluk National Park is managed for multiple reasons, including nature conservation, protection of cultural and historical values and providing a range of visitor experiences. Different areas of the Park will usually be managed with greater weight placed on one of these purposes. A zoning scheme is a general summary of the purpose and focus of management for all areas of the Park. It is based on the specific values of areas and their level of visitor access and development. Some activities require a special permit (see section 6.4).

### **Management Directions**

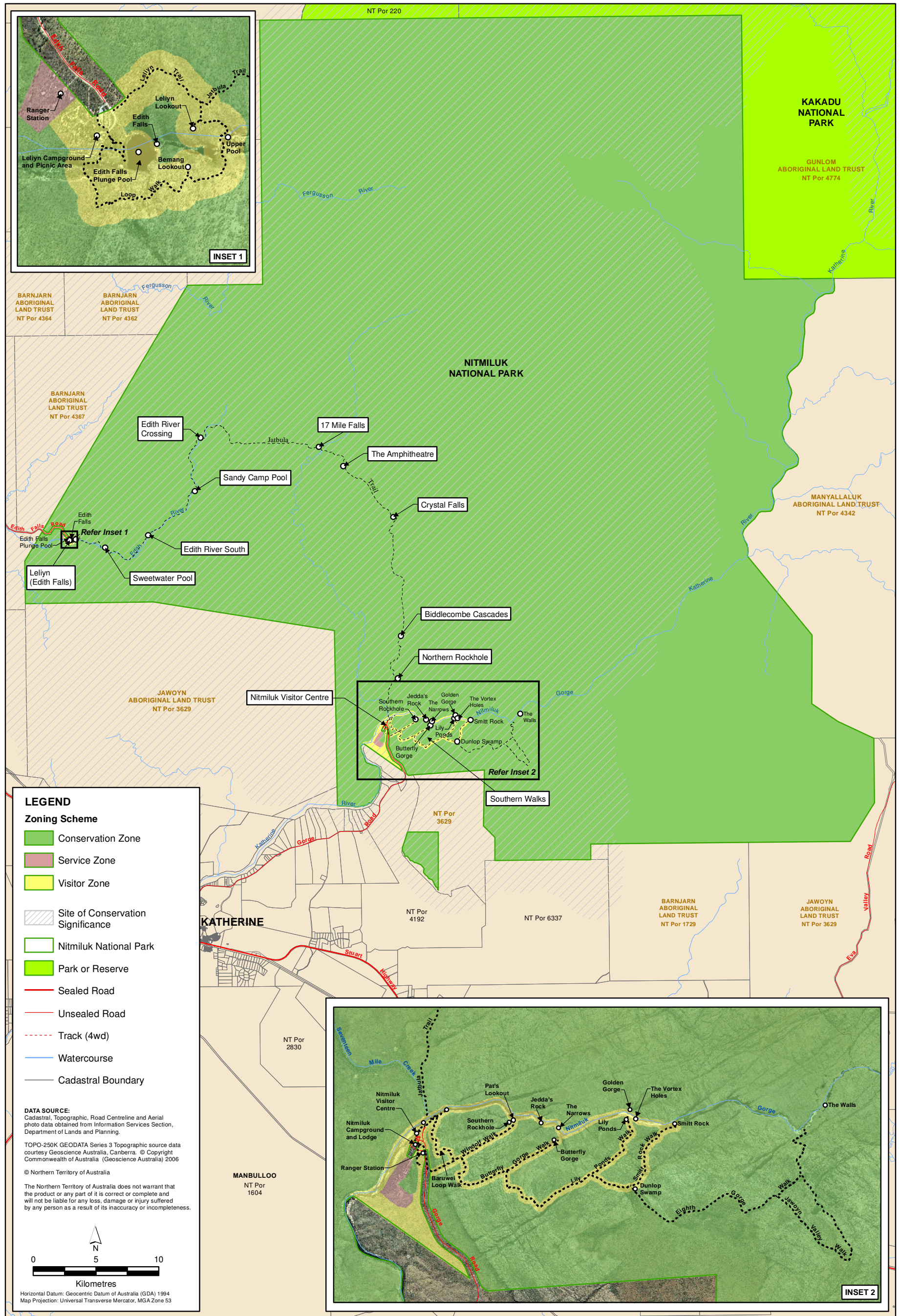
1. The Park will be managed in accordance with the zoning scheme. (*Ongoing*)
2. Regardless of the zone, all management and development will have regard to maintaining the Park's natural character, its conservation values and visitor experiences. (*Ongoing*)
3. To protect sites of exceptional cultural or conservation significance, special protection zones may be designated by the Nitmiluk Board. (*Ongoing*)

**Table 1. Zoning Scheme Summary**

Zone	Purpose	Visitor Access	Visitor Activity	Facilities / Development
<b>Visitor Zone</b>	Concentrated visitor use whilst minimising negative impacts	<ul style="list-style-type: none"> <li>- Open to all visitors.</li> <li>- Caters for high traffic levels on formed roads.</li> <li>- Motorised access up to and including 5<sup>th</sup> gorge.</li> <li>- Private motorised boats in 1<sup>st</sup> gorge only.</li> <li>- High standard pedestrian access.</li> <li>- Tourist operators and private canoe access to 9th gorge.</li> <li>- Camping in approved campsites only.</li> <li>- Air traffic access for helicopter concession operator only (take-off and landing).</li> </ul>	<ul style="list-style-type: none"> <li>- Orientation and interpretation</li> <li>- picnicking</li> <li>- camping</li> <li>- accommodation</li> <li>- swimming</li> <li>- walking</li> <li>- canoeing</li> <li>- photography</li> <li>- commercial tours</li> <li>- cultural appreciation</li> </ul>	<ul style="list-style-type: none"> <li>- Nitmiluk Visitor Centre and orientation / interpretation shelters</li> <li>- carparks</li> <li>- walking tracks</li> <li>- picnic areas</li> <li>- campgrounds</li> <li>- camping sites</li> <li>- ablution blocks</li> <li>- swimming and boating access</li> <li>- emergency facilities</li> </ul>
<b>Conservation Zone</b>	Protect natural and cultural values while allowing for personal nature / culturally based experiences	<ul style="list-style-type: none"> <li>- four-wheel drive and helicopter access for management purposes</li> <li>- overnight visitor access by permit only (section 6.4)</li> <li>- air traffic on approved routes</li> </ul>	Less intense recreation activities including: <ul style="list-style-type: none"> <li>- low key camping</li> <li>- walking</li> <li>- canoeing</li> <li>- research</li> <li>- commercial tourism (including bush camping) under permit</li> </ul>	<ul style="list-style-type: none"> <li>- mainly natural with minimal development</li> <li>- new development may occur subject to public comment and appropriate environment, cultural and heritage clearances.</li> <li>- facilities appropriate to protect values, such as fences, vehicle barriers, interpretation.</li> </ul>
<b>Service Zone</b>	Provide for management of infrastructure and facilities	<ul style="list-style-type: none"> <li>- permitted for tourist operations and Park operational staff</li> <li>- emergency contact for visitors only</li> </ul>	Generally no visitor activities	A medium to high level of development Management facilities only: <ul style="list-style-type: none"> <li>- offices</li> <li>- workshops</li> <li>- accommodation</li> <li>- utility maintenance facilities</li> </ul>
<b>Special Protection Zone</b>	Protection of natural, sacred and Heritage places of exceptional value	<ul style="list-style-type: none"> <li>- visitor access controlled by permit (sect. 6.4)</li> <li>- cultural activities for Jawoyn Traditional Owners</li> <li>- Nitmiluk Board approved research and management activities</li> </ul>	<ul style="list-style-type: none"> <li>- cultural appreciation</li> <li>- research under permit</li> <li>- survey under permit</li> <li>- monitoring under permit</li> </ul>	Facilities necessary to ensure protection of values, such as fences, vehicle barriers and interpretation



Map 2. Nitmiluk National Park Zoning Map





## 2. Governance – Making Decisions for Management of the Park

### Objectives for the Park

- Nitmiluk Board members, the Parks and Wildlife Commission and the Jawoyn Association are satisfied with the processes and outcomes of the Nitmiluk Board and the wider community are engaged and supportive.
- Management decisions are made effectively and efficiently in keeping with the vision for the Park.
- Effective governance and continuous improvement.

Management of the Park is directed by the Nitmiluk Board which includes representatives from the Jawoyn Traditional Owners, the Parks and Wildlife Commission, the township of Katherine and the Kakadu National Park Board of Management. The Parks and Wildlife Commission's role is, on behalf of and subject to the direction of the Nitmiluk Board, to control and manage the Park in accordance with the Nitmiluk Act, the Memorandum of Lease (the Lease [see Appendix 2]) and this Plan.

Effective management of the Park is about working together to achieve shared goals, exchanging knowledge and skills, solving problems and sharing decision-making. A shared understanding of country, Law, culture and Indigenous decision-making principles are important for making good decisions. For the purpose of this Plan, the term *governance* means 'the way the Nitmiluk Board organises itself and the rules put in place to achieve a shared vision'. It includes all aspects of communication, planning and decision-making.

### Principles for Effective Governance

***'We must communicate together through good times and bad. And we need trust, both sides. It's like a marriage. We've gotta talk and trust each other so it keeps working well' - Jawoyn Traditional Owner***

Governance and management of Nitmiluk National Park is guided by the Nitmiluk Act, the Lease (see appendices 1 and 2), this Plan and the following principles:

- Nitmiluk National Park is Jawoyn owned land and is managed as a national park for the benefit and enjoyment of all people;
- Strategic direction for the Park's management is made through the Nitmiluk Board;
- Effective and ongoing consultation and negotiation with the Jawoyn Traditional Owners through the Jawoyn Association in relation to key aspects of the Park's management is crucial;
- Indigenous decision-making processes will always be respected;
- Monitoring and evaluation by the Nitmiluk Board of the Board's functions and management of the Park are important, allowing processes to be adapted and improved; and
- Statutory responsibilities must be adhered to.

## 2.1 Planning and Decision-making

*'We need to grow carefully and make decisions together carefully.  
It takes time. We don't rush things' - Jawoyn Traditional Owner*

The Park is managed to protect and promote culture, country and to provide social and economic opportunity for the benefit of Jawoyn Traditional Owners and the wider community. Nitmiluk Board members are accountable to each other and to the wider community for planning and decision-making.

### Roles and Responsibilities

Effective governance requires clear understanding of the roles and responsibilities of the people and groups involved. Management of Nitmiluk National Park is carried out in accordance with the Nitmiluk Act, the Lease and this Plan. Each of these documents sets out the rights, roles and responsibilities of all parties involved in the management of the Park. For a diagrammatic representation of the management arrangements in relation to the Park see Figure 1.

Membership to the **Nitmiluk (Katherine Gorge) National Park Board** is established under the Nitmiluk Act. There are thirteen positions on the Nitmiluk Board with the Jawoyn Traditional Owners as the majority stakeholder. Eight Nitmiluk Board members are nominated by the Jawoyn Association, in accordance with the Nitmiluk Act. Three members are nominated by the Director of the Parks and Wildlife Commission, one position is nominated by the Mayor of the township of Katherine and one position is the presiding member, or another Indigenous member, of the Kakadu National Park Board of Management.



Members of the Nitmiluk National Park Board  
– past and present

The **Jawoyn Traditional Owners** are responsible to the land, Law and culture. They also have responsibilities for managing Indigenous knowledge and passing it on to the right people, looking after the land and its resources, maintaining sacred sites and keeping country alive. Jawoyn Traditional Owner members of the Nitmiluk Board are responsible for passing on information to other Jawoyn Traditional Owners and relaying their feedback to the Nitmiluk Board. With a majority of Board positions, Jawoyn Traditional Owners have a powerful say in all management decisions for the Park.

*'We were elected as Board members by the Jawoyn Association, to be spokespeople for the Jawoyn. We're here to keep doing what our elders did before us and to try and make things right for them' - Jawoyn Traditional Owner*

The **Parks and Wildlife Commission** is responsible for the care and control of the Park and facilitating preparation of the Plan of Management on behalf of and subject to the direction of the Nitmiluk Board. The Parks and Wildlife Commission is required to finance and resource the

Nitmiluk Board and the Park's ongoing management, including administrative functions, staffing, infrastructure and visitor services. At least one member of the Nitmiluk Board is a permanent employee of the Parks and Wildlife Commission. Parks and Wildlife Commission employees are responsible to the Minister for Parks and Wildlife and the Chief Executive Officer of the Parks and Wildlife Commission.

The **Katherine** member of the Nitmiluk Board represents the township of Katherine and is responsible for relaying information between the Nitmiluk Board and the people of Katherine.

**Kakadu National Park** has a representative on the Nitmiluk Board to ensure the ongoing connectivity of the two national parks. The member is responsible for relaying information between the Kakadu National Park Board of Management and the Nitmiluk Board.

Decisions to be made in managing the Park fall broadly into two groups: 1) policy and planning; and 2) park management. One of the most important distinctions to be made regarding roles and responsibilities is that between the Nitmiluk Board and the Parks and Wildlife Commission. Table 2 outlines these differences.

### Management Directions

4. The Nitmiluk Board will meet regularly throughout the year to: plan and develop policy for the management of the Park; monitor management progress; discuss permits, licences, leases and development; and, any other business. (*High*)

### Performance Measures

- Achievements related to the management priorities stated in this Plan (see page i).

## Consultation and Decision-making

Decision-making and consultation is open, accountable and accessible to all involved. Processes for decision-making are ongoing and are both formal and informal. Nitmiluk Board meetings are the formal part of the process. The Nitmiluk Board meets regularly throughout the year with the Parks and Wildlife Commission facilitating and providing secretarial duties for meetings. Jawoyn Traditional Owner members meet the day before the Board meeting to discuss the agenda, providing an opportunity to thoroughly consider and discuss issues and consult with other Jawoyn Traditional Owners before making important decisions.

The Nitmiluk Board develops guidelines and policies that influence management of the Park in accordance with the Nitmiluk Act. When agreed, Parks and Wildlife Commission policies may be used or adapted. Subject to the Nitmiluk Act, the Lease and this Plan, the Parks and Wildlife Commission acts at the direction of the Nitmiluk Board when considering permits, licences and leases, operational plans and strategies, and infrastructure development (see Table 2 and Figure 1).

Informal consultation and decision-making also occurs. Consultation may take place with individual members of the Nitmiluk Board outside of Nitmiluk Board meetings and senior Park operational staff may meet with Jawoyn Traditional Owners to discuss Park business. The Jawoyn Association sometimes organises meetings or field trips so consultation can occur with the right people. The Parks and Wildlife Commission also employ Jawoyn Traditional Owners on a casual basis for their expertise and opinions on cultural aspects of Park management and where their expertise are valuable such as recording and maintaining rock art.

### Management Directions

5. The Nitmiluk Board and the Parks and Wildlife Commission will share decision-making (see Table 2). Sub-committees may be appointed by the Nitmiluk Board to progress specific projects or consider special issues or proposals in between Nitmiluk Board meetings. In accordance with the Nitmiluk Act, the Lease and this Plan, the Parks and Wildlife Commission will manage the Park on a daily basis under the direction of the Nitmiluk Board. *(Ongoing)*
6. The Parks and Wildlife Commission will keep the Jawoyn Association well-informed about management activities and issues. Information will be clear and accessible to Nitmiluk Board members. Jawoyn Traditional Owner members of the Nitmiluk Board will be responsible for passing on information to other Jawoyn Traditional Owners. *(High)*
7. Opportunities for the paid participation of Indigenous people in management programs will be facilitated as far as possible. *(High)*

### Performance Measures

- Nitmiluk Board members are satisfied with decision-sharing processes and the implementation of annually agreed priorities.

## Working Together

Working together provides an opportunity for better management decisions based on a combination of Indigenous knowledge and principles and contemporary, scientific approaches. Nitmiluk Board members recognise that the Nitmiluk Board is dynamic and capacity to be effective grows and changes with time, experience and training. Jawoyn Traditional Owners want to continue teaching Parks and Wildlife Commission staff cross-cultural skills, language and Indigenous land management techniques. In turn, Parks and Wildlife Commission staff want to continue passing on knowledge of planning, budgeting, organisational structures and scientific management with Jawoyn Traditional Owners.

### Management Directions

8. The Nitmiluk Board recognises that good governance is a process that must be continually revisited. Training will be undertaken by Nitmiluk Board members to grow their skills in cross-cultural communication and governance. The Nitmiluk Board will undergo independent review of governance processes from time to time to ensure good governance and continuous improvement. *(Ongoing)*

## Strengthening Governance through Monitoring and Evaluation

Working together to prepare this third Plan of Management is the sign of a long-lasting partnership. Nitmiluk Board members realise that they need to keep growing and improving through commitment and new skills in governance.

***‘Ten years from now I want to see the Board still working together, but stronger. And still learning from each other’ - Jawoyn Traditional Owner***

This Plan sets out a structure for the Park’s governance. By monitoring the processes of governance and joint management, Nitmiluk Board members will be able to identify problems and make changes early, and in doing so, continue to improve and build strong governance over time. Early in the life of this Plan, the Nitmiluk Board will develop and then monitor specific indicators or measures which will signify the success of the Parks’ management. Key areas to be measured include implementation of annually agreed priorities and accomplishment of the Performance Measures and longer-term Management Priorities stated in this Plan. Best practice indicators for Park management worldwide clearly show that monitoring and evaluation plays a vital role in the success of Park management partnerships.

**Management Directions**

9. Nitmiluk Board members will monitor and evaluate the process of the Nitmiluk Board. A monitoring and evaluation program will be developed by the Nitmiluk Board early in the life of this Plan to inform action for improved governance. Performance will be measured each year using indicators relating to: satisfaction of Nitmiluk Board members; effectiveness of the partnership; implementation of annually agreed priorities; progress towards longer-term goals stated in this Plan relating to Park values; and, appropriate budget allocation. (*Ongoing*)

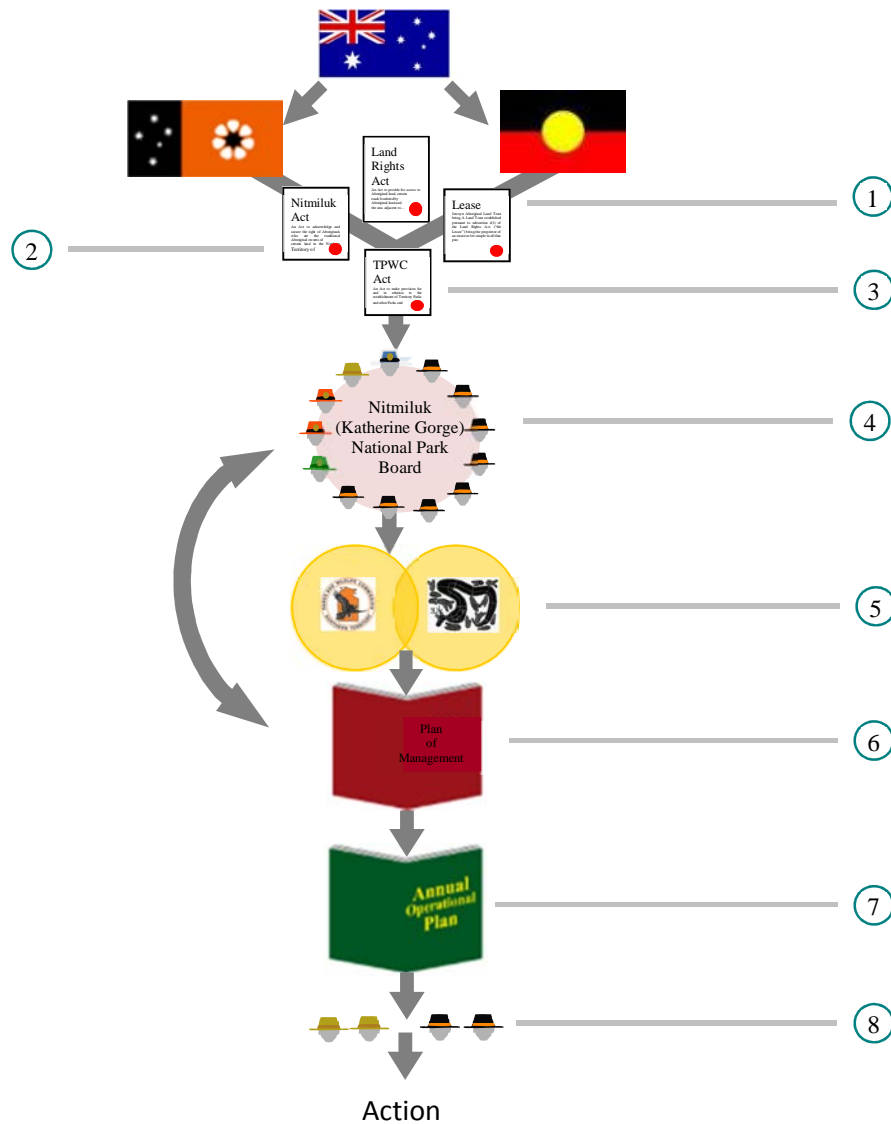
**Performance Measures**

- Participatory monitoring and evaluation program implemented.

**Table 2.** Decision-making framework for Nitmiluk National Park.

<b>Roles &amp; Responsibilities</b>	
<b>Nitmiluk (Katherine Gorge) National Park Board</b>	<b>Parks and Wildlife Commission Operational Staff</b>
<p><b><u>Primary role</u></b></p> <p style="text-align: center;"><i>in accordance with the functions of the Nitmiluk Act, providing strategy, direction, policy and leadership</i></p> <p>This includes:</p> <ul style="list-style-type: none"> <li>• Being responsible and accountable for the management of the Park</li> <li>• Approving overall strategic programs for the Park</li> <li>• Setting policy and procedural directions, including permit guidelines for the Park</li> <li>• Ensuring Park operational staff clearly understand the functions of the Board and allowing Park operational staff to carry out their responsibilities efficiently and effectively</li> <li>• Developing guidelines for the approval of commercial and development proposals</li> <li>• Delegating specific tasks to a planning sub-committee as required</li> <li>• Approving commercial and development proposals in line with agreed planning and approval processes and guidelines</li> <li>• Consulting with community stakeholders and wider group of Jawoyn Traditional Owners as appropriate</li> <li>• Considering other proposals or issues not specified in this Plan</li> <li>• Monitoring and evaluating the effectiveness of the Nitmiluk Board and acting on the results of this monitoring and evaluation</li> </ul>	<p><b><u>Primary role</u></b></p> <p style="text-align: center;"><i>management of the Park in accordance with the Nitmiluk Act, the Lease and this Plan</i></p> <p>This includes:</p> <ul style="list-style-type: none"> <li>• Facilitating preparation of the Plan of Management</li> <li>• Controlling and managing the Park in accordance with the Nitmiluk Act, this Plan and directions of the Nitmiluk Board</li> <li>• Developing and implementing operational plans and allocating annual budget in consultation with the Nitmiluk Board</li> <li>• Applying operational plans, policy and procedures as approved by the Nitmiluk Board</li> <li>• As far as possible maximise on-ground participation of Indigenous people in management of the Park</li> <li>• Monitoring commercial operations and compliance with laws and permits</li> <li>• Liaising with stakeholders and neighbours in matters of Park management</li> <li>• Being accountable to the Territory Government and the Nitmiluk Board</li> <li>• Issuing permits according to policy and procedures developed by the Nitmiluk Board</li> <li>• Making routine decisions necessary in implementing approved operational plans</li> </ul>

Figure 1. Planning and decision-making process for Nitmiluk National Park



- 1 The **Memorandum of Lease** established by the Jawoyn Aboriginal Land Trust under the Land Rights Act, provides for the Park to be leased for 99 years by the Conservation Land Corporation. The Parks and Wildlife Commission is the land manager on behalf of the Corporation.
- 2 The **Nitmiluk (Katherine Gorge) National Park Act** establishes management of the Park, including composition, procedures, functions and powers of the Nitmiluk Board.
- 3 The **Territory Parks and Wildlife Conservation Act** gives Park Rangers, as Conservation Officers, powers to enforce the Act, consistent with the *Nitmiluk (Katherine Gorge) National Park Act*, when members of the public are committing offences within the Park.
- 4 The **Nitmiluk (Katherine Gorge) National Park Board** comprises eight Jawoyn Traditional Owners, at least one Parks and Wildlife Commission staff and two public sector employees / Chief Executive Officers, one Indigenous member of the Kakadu National Park Board and one resident of Katherine.
- 5 **Park and Wildlife Commission staff** and **Jawoyn Traditional Owners** work together on tasks, including the Plan of Management, on behalf of the Nitmiluk Board.
- 6 The **Plan of Management** is prepared by the Nitmiluk Board pursuant to the requirements of the Nitmiluk Act.
- 7 **Operational Plans** are written for key management programs such as fire, feral animals and weeds. These plans are based on the directions of the Plan of Management and guide day-to-day management of Nitmiluk National Park. The Nitmiluk Board reviews and approves these plans.
- 8 **Day-to-day Management** of the Park is undertaken by Park operational staff, carrying out agreed management programs and priority tasks, as set out in the operational plans.



### 3. Management for Visitors

#### Objectives for the Park

- Providing high-quality, world class experiences where visitors can enjoy and respect the Parks cultural and natural values.
- Actively promoting an understanding of and respect for Jawoyn culture and history and the role of Jawoyn Traditional Owners in management of the Park.
- Visitors feeling welcome, safe, inspired and highly satisfied.
- Regularly engaging with the tourism industry.

With a combination of magnificent scenery, fascinating culture and array of recreational activities on offer, Nitmiluk National Park is an appealing global tourism destination. The deep Nitmiluk Gorge is the central attraction of the Park, however learning about and experiencing culture enhances the Park experience and is the primary motivating factor for many visitors to Nitmiluk National Park.

Access to water based activities is a priority for many Top End visitors and the Park offers the opportunity to go canoeing, boating and swimming in scenic surrounds. The long distance Jatbula Trail walking track is another key attraction, as are the privately operated scenic boat and helicopter tours.

***‘For visitors we want peace and quiet, enjoyment of natural surroundings, learning about culture, a range and variety of experiences for all kinds of people and well planned facilities’ - Jawoyn Traditional Owner***

Nitmiluk National Park is ranked as a Class 1 Visitor park under the Parks and Wildlife Commission’s Management Effectiveness Framework. All parks across the Parks and Wildlife Commission estate are ranked from Class 1 to Class 4 with Class 1 being the highest ranking (see section 6.1).



Upper pools at Leliyn

### 3.1 Tourism Industry

#### Economic Value of Tourism

Tourism is big business in the Northern Territory. Over 827,000 people visited in 2013, and an additional 393,000 locals travelled within the Territory (Tourism NT 2013). 18% of all visitors to the Northern Territory come to the Katherine Daly region (Tourism NT 2012a). Of all holiday visitors to the region, half visit Nitmiluk National Park (Tourism NT 2012b).

Nitmiluk National Park is a major economic driver of the region and one of the Territory’s most important tourism Parks. The local tourism industry provides commercial tours, accommodation, meals and provisions. While several local tour operators offer day tours and



specialised longer stay touring within the Park, the majority of operators offer tours to the Park as part of an extended touring program. Commercial accommodation options are available within the Park, along Gorge Road and in the township of Katherine, and include caravan parks, cabins, camping, hostels, motels and luxury lodge-style accommodation.

### Working with Tour Operators

The Nitmiluk Board recognises the importance of Nitmiluk National Park to the tourism industry and the need to work with tourism stakeholders. Developing and implementing a stakeholder communication plan will improve the engagement process. Arranging annual start-of-season information sessions with the tourism industry, conducting regular industry updates and promoting the Nitmiluk National Park Tour Guide Handbook will be integrated into the plan and future work programs (see section 6.2, Management Direction [MD] 110).

The Nitmiluk Board also recognises that tourism operators in the Park offer opportunities to visitors which enhance the visitor experience and which cannot be offered by the Parks and Wildlife Commission. Operators who identify new or entrepreneurial opportunities within Nitmiluk National Park can approach the Parks and Wildlife Commission and the Nitmiluk Board to develop opportunities in accordance with relevant laws and policies, including the permit application processes (see also section 6.4). Those businesses or organisations offering employment and training to Indigenous people will be given priority in accordance with the Nitmiluk Act and the Lease.

#### Management Directions

10. The Nitmiluk Board will work with the tourism industry to ensure tourism development is rational, appropriate to, and in harmony with Nitmiluk National Park, its values, market demand and commercial viability. *(High)*
11. When issuing permits for tour operations, preference will be given to Indigenous people, companies or organisations and to businesses that offer real employment and training opportunities to Jawoyn Traditional Owners and other Indigenous people, subject to any law in force in the Northern Territory. *(High)*

## 3.2 Visitor Access

Public access to Nitmiluk Gorge is via the 30 km sealed Gorge Road. The road leads from the township of Katherine directly to the Nitmiluk Visitor Centre at the western end of Nitmiluk Gorge. Access to Leliyn is via the 19 km sealed Edith Falls Road from the Stuart Highway 42 km north of Katherine.

Visitors can self-drive, join a tour group or take a bus from Katherine to Nitmiluk Gorge or Leliyn. A bus runs daily during peak season or on request during shoulder and off peak season. Jatbula Trail walkers can pre-book a transfer from Leliyn back to Katherine.

Park access is determined by landform and the direction of the Nitmiluk Board. Access to any area of the Park may be restricted if natural or cultural values are threatened. Within the gorge system, large tour boats may operate up to Smitt Rock. Canoes can be paddled and portaged from the Nitmiluk Boat-ramp to the ninth gorge.

There are over 100 km of marked walking tracks in the Park, a small portion of which also function as service tracks for management purposes. There is a fire-trail to the remote interior of the Park used by Park operational staff and Jawoyn Traditional Owners for management and cultural purposes.

Scenic helicopter flights operate over the Park with a helipad located near the Park entrance along Gorge Road. A helicopter operator conducts flights as well as adventure flights which include swimming and rock art tour components. Other flight operators visit the Park but may not land without special permission from the Nitmiluk Board. Helicopters are often used for management purposes.

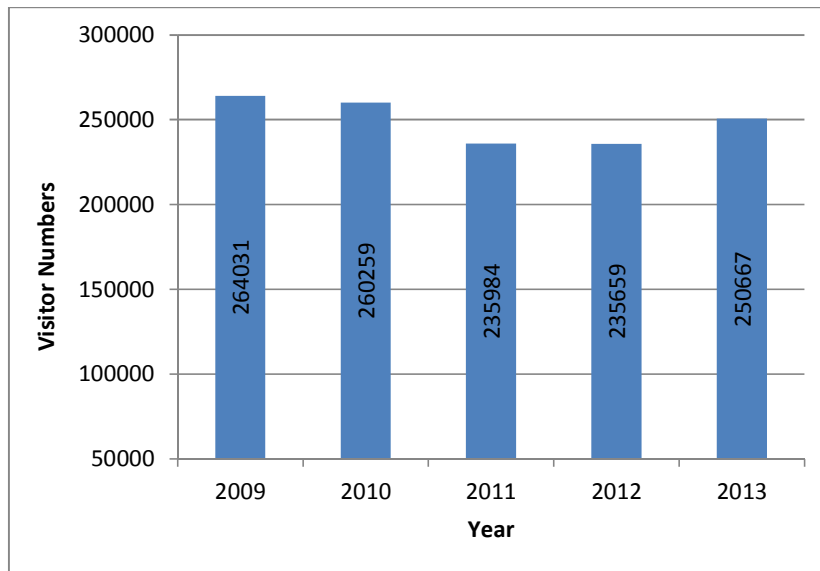
Leliyn may be closed in the Wet season due to flooding along Edith Falls Road. The Gorge Road can become flooded at the Maud Creek Bridge in the Wet season, however a ferry service is used for visitors with a booking for a Nitmiluk Gorge boat tour. Nitmiluk Gorge is closed to swimming and canoeing during the Wet season due to flooding and the high risk of estuarine (saltwater) crocodiles entering the system. The river remains closed until water levels drop and crocodile monitoring is undertaken (see sections 3.6 and 3.8). Edith Falls Plunge Pool and other waterholes may be closed to swimming due to flood turbulence and the Plunge Pool may be closed due to increased estuarine (saltwater) crocodile risk. The Parks and Wildlife Commission advise of activity closures (and re-openings) via media releases and the 'Park Access' webpage. The Department of Infrastructure is responsible for closing the Gorge and Edith Falls Roads.

Entry of pets into the Park is consistent with the Nitmiluk Board approved Pets in Parks policy.

### 3.3 Visitor Trends

Over the past five years the average number of annual visitors to Nitmiluk National Park has been 249,000 people (see Graph 1). The majority of visitors (66%) are from interstate and aged between 25 to 34 and 55 to 64. A 2010 visitor satisfaction survey for experiences provided by the Parks and Wildlife Commission revealed most people (54%) are short stay visitors (up to 4 hours) and the most popular activities are short walks (54%), photography (51%) and swimming (47%) (Charles Darwin University 2010).

**Graph 1:** Visitor numbers to Nitmiluk National Park



The majority of short stay travellers will visit Nitmiluk Gorge simply to experience a two gorges boat tour, or travel to Leliyn to swim in Edith Falls Plunge Pool. A longer stay visitor will typically camp at the Nitmiluk Caravan Park and experience a longer boat tour, go canoeing, or undertake the Baruweil Lookout and Loop Walk, Windolf or Butterfly Gorge Walks at Nitmiluk Gorge. At Leliyn, longer stay visitors will usually camp at Leliyn Campground, walk the Leliyn Trail and swim

at the Upper Pool and Plunge Pool.

Visitor trends indicate visitation is on the increase at Leliyn. This is set to continue at a slow, steady pace into the future. Nitmiluk Gorge statistics show a drop in tourism in recent years. A tough world economic climate has resulted in challenging tourism market conditions. Numbers are unlikely to increase significantly at Nitmiluk Gorge in the short- to medium-term.

Numbers of Experiential Travellers visiting the Park are set to increase in response to Tourism NT's and Tourism Australia's marketing efforts. The Experiential Traveller is the traveller seeking iconic or unique 'undiscovered' types of experiences and a holiday experience which offers adventure, relaxation and the opportunity to 'get back to nature'.

Other changes in visitor trends include a shift in tourism markets. Visitor numbers from China are expected to increase over the next decade. Tailored Park information and tours to support this visitation will be necessary. In addition, the next generation will be travelling more widely. This will mean an increased expectation for Park information to be presented through new technology, including via Smartphone applications, through social media and by the internet, with the ability to make pre-bookings online.

Each of these trends can help determine future management and direction of existing visitor sites and assists in identifying new visitor experiences. These aspects were taken into consideration in the preparation of this Plan of Management.

### 3.4 Visitor Issues and Opportunities

In 2011, a survey was conducted and two tourism industry workshops were held to gain feedback from the tourism industry and Parks and Wildlife Commission staff on the provision of visitor facilities, experiences and opportunities within the Park. The main issues raised in the survey, workshops, as well as the 2010 visitor satisfaction surveys include:

- Visitor over-crowding and poor planning of experiences offered;
- Conflict between natural experience and commercialism;
- Few short walks with easy grading;
- Few adventure-based recreational opportunities;
- Limited access and ill-defined booking system for the Jatbula Trail;
- Limited funding for recurrent maintenance or new infrastructure;
- Poor / limited directional signage, visitor information and interpretation of history, culture, nature;
- Little opportunity to experience Indigenous culture;
- Limited activities available in the Wet season;
- Restrictions on water-based activities (estuarine [saltwater] crocodiles); and
- Few opportunities for external commercial arrangements.

Many issues identified can be resolved through upgrades to sites and opening of new sites and experiences (see sections 3.5, 3.6 and 3.7). Risks associated with estuarine (saltwater) crocodiles are addressed in sections 3.6 and 3.8. Opportunities for external commercial arrangements are addressed in sections 3.1 and 6.4. Responsibility for some operations and facilities primarily lies with the Park's key tourism stakeholder, Nitmiluk Tours. The relationship between the Nitmiluk Board, the Parks and Wildlife Commission and operators, including Nitmiluk Tours, is given effect

in individual Operational Agreements. While direct responsibility for some operations and facilities may lie with Nitmiluk Tours, the Nitmiluk Board and the Parks and Wildlife Commission have a role to play in supporting tourism operators. This includes improving visitor experiences, sharing of information and maintaining a collaborative approach for visitor management (see section 6.3, MD 123).

Another opportunity for Nitmiluk National Park is the inclusion of the Park in *Australia's Timeless North* National Landscape (see section 6.5).

### 3.5 Summary of Current Works

The Commercial Development Plan (CDP), commissioned by the Territory Government and the Jawoyn Association in 2006, provides an independent assessment of the Park's potential and how best this may be managed. The CDP identifies some major works to be staged over a 20 year period. Many of the works have been or are in the process of being developed at the time of this Plan's preparation, including the cabins (chalets), the Cicada Lodge, relocation of the Nitmiluk Gorge helipad, improvements to paths and boat boarding areas and an upgrade plan for the Jatbula Trail.

The Jawoyn Cultural Centre is still to be considered by the Nitmiluk Board. The Mt Todd caravan park and the off-Park portions of the long distance walking trail are not seen as high priorities for this Plan. The long distance walking trail within Park boundaries is addressed in section 3.7.



First / second Gorge pathway upgrades undertaken in 2006

### 3.6 Managing Existing Visitor Activities and Facilities

Table 3 summarises every visitor site within the Park, categorised by the types of activities on offer. The range of sites and activities on offer provide visitors with a diversity of opportunities for experiencing the Park.

It is recognised that Nitmiluk Gorge and Leliyn, and in particular the facilities within the immediate vicinity of these hubs, will continue to be the most used areas of the Park. These areas will be maintained to a high standard ensuring visitors receive a first-rate experience. It is also important that the Park offers alternative sites and recreational activities to encourage visitor dispersal, to maintain visitor experiences and to reduce overcrowding. The creation of a dedicated cycling trail or a shared cycling and walking trail, new short walks and new visitor sites within the Park have been proposed (see section 3.7).

Ongoing improvements to existing sites and facilities are required to accommodate current visitor levels and to maintain safety standards. Overcrowding occurs within the Park during peak visitor periods. Several improvements or redevelopments are proposed to help counteract these issues, including a new carpark at Nitmiluk Gorge and redevelopment of Nitmiluk Gorge Picnic Ground carpark. The Edith Falls Kiosk is proposed for redevelopment and a booking system for the Leliyn campground will be created. Also, numbers of water vessels will continue to be

controlled within Nitmiluk Gorge.

Closing opportunities for swimming and canoeing for increasingly prolonged periods due to crocodile risk has a major impact on Top End visitors and the tourism industry. Continuing to provide opportunities for visitors to undertake these activities is seen as a high priority by the Nitmiluk Board (see section 3.8, MD 66).

**Management Directions**

12. Maintain and present visitor areas, infrastructure and interpretation to a Class 1 standard at major sites. *(Ongoing)*
13. The Parks and Wildlife Commission will work closely with tourism operators to ensure the best possible levels of visitor service, safety and environmental protection are upheld. *(Ongoing)*  
This includes:
  - \* Consistency of presentation throughout areas operated by tourism operators; and
  - \* At revision and renewal of permits and Operational Agreements, attention will be given to modifying tour operations based on feedback from safety, visitor and environmental monitoring programs.
14. The standard of every visitor opportunity provided within the Park will be reviewed as required throughout the life of this Plan. The intent will be to maximise visitor satisfaction, safety levels and environmental protection. *(Ongoing)*

**Performance Measures**

- Visitor satisfaction at least 90% and visitor numbers to the Park stable or increasing.
- Annual audit of infrastructure and Repairs & Maintenance program completed.

**Table 3.** Existing visitor activities and services classified by type

Activities	Area of Activity	Accessibility	Responsibility (subject to change)
<b>Tourism Hubs</b>	Nitmiluk Visitor Centre	Year Round, 2WD vehicle access	66% Nitmiluk Tours; 34% Parks and Wildlife Commission of the Northern Territory (PWCNT)
	Edith Falls Kiosk & Picnic Ground	Year Round, 2WD vehicle access	To be determined
	Nitmiluk Canoe Shed & Picnic Ground	Dry season (Shed - when canoeing is open); Year Round (Picnic Ground); 2WD vehicle access	Nitmiluk Tours - Shed; PWCNT - Picnic Ground
<b>Camping / Accommodation - Nitmiluk Gorge</b>	Nitmiluk Caravan Park, Tent Village & Chalets	Year round, 2WD vehicle access; Fee applies	Nitmiluk Tours - camping fee / accommodation costs
	Cicada Lodge	Year round, 2WD vehicle access; Fee applies	Nitmiluk Nominees Pty Ltd as trustee for Nitmiluk (Cicada Lodge) Unit Trust
	Dunlop Swamp	Dry season; 17.4 km difficult return walk from Visitor Centre ; Permit required	PWCNT - camping permit
	Smitt Rock	Dry season; 23.6 km difficult return walk from Visitor Centre; Permit required	"
	Above the 8th gorge	Dry season; 33.2 km difficult return walk	"

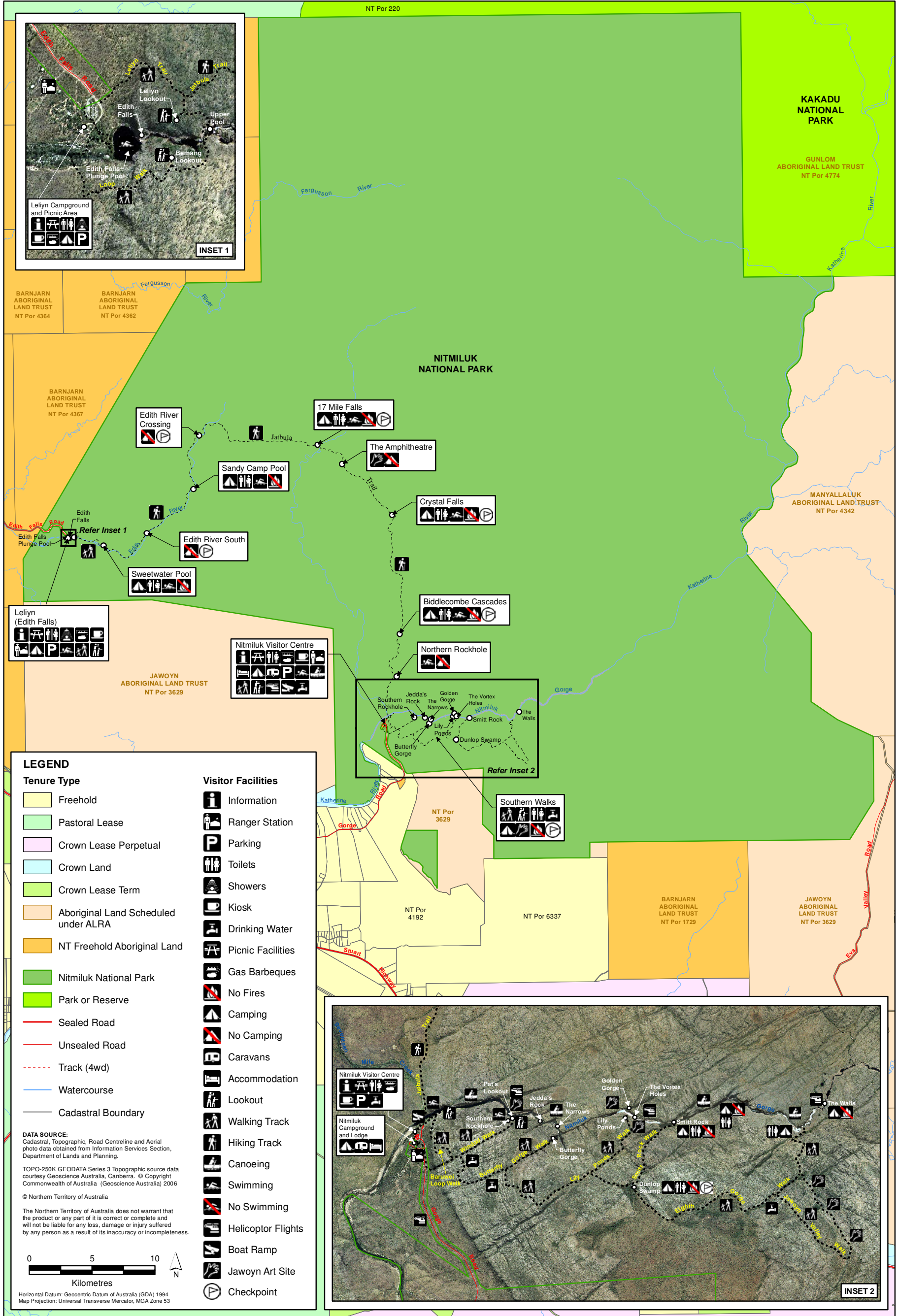
Activities	Area of Activity	Accessibility	Responsibility (subject to change)
		from Visitor Centre; Permit required	
	Canoeing - the 4 <sup>th</sup> , 6 <sup>th</sup> & 9 <sup>th</sup> gorges	Dry season; up to 24.6 km hard to difficult return paddle & portages from Boat-ramp; Permit required	PWCNT & Nitmiluk Tours - camping permit
	Gurriluk Education Campground	Year round, 2WD vehicle access - available for Schools, Youth Groups & Community Organisations ; Booking and permit required	Nitmiluk Tours - booking; PWCNT - camping permit + campground
<b>Camping - Jatbula</b>	Jatbula Trail - Biddlecombe Cascades, Crystal Falls, 17 Mile Falls, Sandy Camp Pool	Dry season; 62 km difficult walk from Visitor Centre to Leliyn; Permit required	PWCNT - track + camping permit; Nitmiluk Tours - ferry
<b>Camping - Leliyn</b>	Leliyn Campground	Year round, 2WD vehicle access; Fee applies	Concession - camping fee (Kiosk); PWCNT - infrastructure
	Sweetwater Pool	Year round - limited access after heavy rainfall; 8.6 km medium return walk from Leliyn; Permit required	PWCNT - campsite; Concession - camping fee (Kiosk)
<b>Swimming - Nitmiluk Gorge</b>	Katherine River – Nitmiluk Gorge swim jetty	Dry season - when declared open; 2WD vehicle access	PWCNT
	Southern Rockhole	Mid Wet season to early Dry season - when declared open; 8.4 km medium return walk from Visitor Centre; 4.6 km medium return paddle from Boat-ramp; Easy transfer by tour boat	PWCNT - track; Nitmiluk Tours - boat tours + canoes
	Katherine River - Windolf, Smitt Rock, below the 8 <sup>th</sup> gorge	Dry season - when declared open; 8.4 km - moderate, or 23.6 km/ 33.2 km - difficult return walks from Visitor Centre	PWCNT
	Northern Rockhole	Dry Season; 5 km medium return walk from boat drop-off	PWCNT - track; Nitmiluk Tours - ferry
	Lily Ponds	Dry Season; 19.8 km difficult return walk from Visitor Centre; 12.7 km medium return paddle from Boat-ramp; Easy transfer by boat tour	PWCNT - track; Nitmiluk Tours - boat tours + canoes
<b>Swimming - Jatbula</b>	Jatbula Trail - Biddlecombe Cascades, Crystal Creek, 17 Mile Creek, Sandy Camp Pool	Dry Season; 62 km difficult walk from Visitor Centre to Leliyn; Permit required	PWCNT - track + camping permit; Nitmiluk Tours - ferry
<b>Swimming - Leliyn</b>	Edith Falls Plunge Pool	Year Round - when declared open; closed after heavy rainfall; 2WD vehicle access	PWCNT
	Leliyn - upper pool	Year Round - when declared open; closed after heavy rainfall; 2.6 km medium walk from picnic ground	"
	Leliyn - Sweetwater Pool	Year Round - when declared open; closed after heavy rainfall; 8.6 km medium return walk from Leliyn	"
<b>Walking - Nitmiluk Gorge</b>	Baruwei Lookout and Loop Walk	Year round; 1.8 km medium walk to lookout from Visitor Centre, 3.7 km medium walk from lookout, along escarpment to Visitor Centre	PWCNT
	Windolf Walk	Year round; 8.4 km medium return walk from Visitor Centre	"

Activities	Area of Activity	Accessibility	Responsibility (subject to change)
	Butterfly Gorge Walk	Year round; 12 km hard return walk from Visitor Centre, or 6 km medium one-way walk with return by pre-organised boat tour	"
	Lily Ponds Walk	Year round - limited in Wet season; 19.8 km difficult return walk from Visitor Centre, or 9.9 km hard one-way walk with return by pre-organised boat tour	"
	Smitt Rock Walk	Dry season; 23.6 km difficult return walk from Visitor Centre	"
	Eighth Gorge Walk	Dry season; 33.2 km difficult return walk from Visitor Centre return	"
	Jawoyn Valley Walk	Dry season; 39 km difficult return walk from Visitor Centre	"
	Northern Rockhole Walk	Dry season; 5 km medium return walk from boat drop-off	PWCNT - track; Nitmiluk Tours - ferry
<b>Walking - Jatbula</b>	Jatbula Trail	Dry season; 62 km difficult one-way walk from Visitor Centre to Leliyn; Permit required	PWCNT - track, campsites, camping permit + trail fees; Nitmiluk Tours - ferry
<b>Walking - Leliyn</b>	Leliyn Trail	Year round - limited after heavy rainfall; 2.6 km medium loop walk from picnic ground	PWCNT
	Sweetwater Pool	Year round - limited after heavy rainfall; 8.6 km medium return walk from Leliyn	PWCNT - track + campsite; Nitmiluk Tours (Edith Falls Kiosk) - camping permit
<b>Canoeing</b>	Private canoe - up to the 9 <sup>th</sup> gorge	Dry season - when declared open; up to 24.6 km medium to difficult return paddle & portages from Boat-ramp; Permit required	PWCNT - camping permit
	Leisure Hire - 4 hour	Dry season - when declared open; 6.4 km easy return paddle to top of the 1 <sup>st</sup> gorge from Boat-ramp; Fee applies	Nitmiluk Tours - canoe hire
	Gorge Explorer - 8 hours	Dry season - when declared open; up to 16.6 km medium return paddle & portages from Boat-ramp; Fee applies	Nitmiluk Tours - canoe hire
	Under the Stars - 28 hours	Dry season - when declared open; up to 24.6 km medium to difficult return paddle & portages from Boat-ramp; Fee applies + permit required	Nitmiluk Tours - canoe hire; PWCNT - camping permit
<b>Boat Tours</b>	Nitnit Dreaming - 2 hours	Year round, except when flooded; 2 gorges cruise with easy walk between gorges	Nitmiluk Tours
	Timeless Land - 3.5 to 4 hours	Year round, except when flooded; 3 gorges cruise with easy walks between gorges	"
	Dawn Break (breakfast) - 1.5 to 2 hours	Year round, except when flooded; 2WD vehicle access	"
	Nitmiluk Buffet (lunch) - 1.5 to 2 hours	Year round, except when flooded; 2WD vehicle access	"
	Nabilil Dreaming Sunset (dinner) - 3.5 hours	Year round, except when flooded; 2WD vehicle access	"

Activities	Area of Activity	Accessibility	Responsibility (subject to change)
Power Boat Tour	Power Boat Tour - 1 hour	Wet season when in flood; 2WD vehicle access	Nitmiluk Tours
Private Motorised Boats	Private motorised boats - the 1st gorge	During daylight hours from 1st Sept to 31st May, except when flooded; 2WD vehicle access to Boat-ramp; ≤4m boat, ≤15hp motor, 7 NM/hr speed limit	PWCNT - permit required
Flights	3 Gorge Scenic Flight - 8 minutes	Year round helicopter tours; 2WD vehicle access	Jawoyn Aviation
	8 Gorge Scenic Flight - 12 minutes	"	"
	13 Gorge Scenic Flight - 18 minutes	"	"
	Adventure Swim Tour - 1.5 hours	"	"
	Jawoyn Rock Art Tour - 1.5 hours	"	"
	Nitmiluk Ultimate Tour - 2.5 hours	"	"
Birdwatching	All visitor areas of Park	Year round; 2WD vehicle access	PWCNT
Fishing	All areas other than Edith Falls Plunge Pool, 2 <sup>nd</sup> gorge or from Park infrastructure such as the swim jetty and boat ramp.	Year round; 2WD vehicle access; Fishing with lures only	PWCNT; Fisheries
Photography	All visitor areas of Park	Year round; 2WD vehicle access	PWCNT - commercial permit



Map 3. Visitor Facilities and Activities



## Tourism Hubs

### *Nitmiluk Visitor Centre & Carpark*

The Nitmiluk Visitor Centre is a focal point where visitors can obtain orientation to the Park and interpretation of Park values through displays. Facilities include: an interpretive display; a children's outdoor interpretation playground and bush-tucker garden; an information counter; a tour and accommodation booking counter; mini-market and souvenir section; and fast-food and licensed bistro with indoor and outdoor dining areas.



The Nitmiluk Visitor Centre sits on the banks of the Katherine River

Built by the Territory Government, the building is leased by Nitmiluk Tours who, together with the Parks and Wildlife Commission, have responsibility for the buildings maintenance. Nitmiluk Tours have a permit to conduct commercial operations in the Centre and have been providing staff for the Park information counter since 2011 (see MD 13). The Parks and Wildlife Commission are responsible for maintaining the interpretive display.

### Issues

The Visitor Centre's capacity has become increasingly inadequate as visitor numbers have increased. The dining, kitchen and souvenir areas of the Centre are too small and the veranda is frequently unusable in the heat of the day.

The Centre's interpretive displays have become dated and require a greater cultural emphasis. There is a tour operator proposal to create meeting room facilities within the interpretive space which would impact on the location of displays. The Nitmiluk Board sees it as essential that the Centre impresses on visitors the key messages of Jawoyn Traditional Ownership of the Park and the benefits of the management partnership, so it is vital that this interpretation is retained in some format within the Park (see section 3.9).

Provision of Park information services by Nitmiluk Tours staff must continue to work as effectively as when the service was provided by Park operational staff.

Creation of a rest area within the Nitmiluk Visitor Centre for coach drivers to use while their passengers are on board tour boats has been suggested.

The carparks at the Gorge can overflow for short periods during the peak visitor season, particularly when an event is being held at Nitmiluk Gorge. The bus parking area becomes congested on a more regular basis. Topographical restrictions mean only a minor extension to the existing carpark would be possible and a small alteration will not resolve the matter.

### Opportunities

The Commercial Development Plan identifies the same issues with the Centre's decreasing capacity and recommends the creation of a separate Cultural Centre to free up space within the Visitor Centre.

The creation of meeting room facilities within the Visitor Centre would provide a regional venue with already well-established facilities and services, such as catering, accommodation and opportunities for group activities.

Establishing meeting room facilities within the Visitor Centre will provide impetus for the Centre's interpretive information to be redeveloped. New ways of delivering information and engaging visitors will be explored, including new technology and pre-visit information, and information will be tailored to suit growing tourism markets such as Chinese visitors (see section 3.9, MD 69). All new interpretive information will have a greater emphasis placed on cultural content (see section 3.9, MD 68).

An effective Park information service will continue to be provided within the Visitor Centre and the Parks and Wildlife Commission is committed to making the new information service arrangement work (see MD 13).

Creation of a rest area for coach drivers will be considered in any future redevelopments of the Centre.

A new carpark near the front entrance to the Park is proposed (see section 3.7, MD 60).

#### Management Directions

15. Investigate options for redevelopment of the Visitor's Centre. Develop and implement a visitor facility plan, including interpretive display upgrades, within the life of this Plan. (*High*)

#### Edith Falls Kiosk, Picnic Ground & Carpark

After the 2011 Edith River floods, a temporary Edith Falls Kiosk has been erected in the vicinity of the planned Leliyn Centre development, adjacent to the carpark. The Kiosk and the Leliyn Campground are managed by a private operator under a permit and an Operational Agreement (see MD 13). Services provided by the Kiosk in the past include serving lunch and other refreshments, providing information, collecting camper fees and recording deregistration of Jatbula Trail walkers. The Picnic Ground is located between the Plunge Pool and Kiosk. The carpark is located adjacent to the Leliyn Campground. Leliyn is a declared sacred site and any new activities or development within the vicinity of Leliyn requires an authority certificate (see section 6.4).

#### Issues

In recent years the Kiosk was becoming increasingly inadequate, particularly during peak periods when tour bus groups stopped by in the middle of the day.

The design of the proposed Leliyn Centre should consider the potential for flood damage.

#### Opportunities

The temporary Kiosk structure will, through a tender process, be redeveloped into a multi-functional Leliyn Centre. This Centre will be managed by a Nitmiluk Board approved concession, providing interpretive and orientation information and may include a café and seating, a shop selling souvenirs and local Indigenous art, and a campground office. The Centre will support increased visitor numbers and will be managed through a private operator.

#### Management Directions

16. Undertake a detailed technical site assessment for the Leliyn Centre to determine development requirements and produce a concept plan. Develop the Centre to improve visitor experience without

impinging on natural surrounds. (*High*)

17. Work with the tourism industry and tour companies to develop a system of staggering tour arrivals at Leliyn if necessary. (*Low*)

### ***Nitmiluk Canoe Shed, Picnic Ground & Carpark***

Located adjacent to the Nitmiluk Boat-ramp and boat tour launch jetty, the Canoe Shed is open in the Dry season when the river is declared open for canoeing and is managed by Nitmiluk Tours (see MD 13). As well as organising canoes and canoeing equipment for hire, the Canoe Shed also provides information and sells a limited variety of refreshments. The Picnic Ground is adjacent to the Canoe Shed, Boat-ramp and boat tour launch jetty. The carpark is located uphill from the Picnic Ground.

#### **Issues**

The Canoe Shed is located in a multi-use area which supports large volumes of visitors in peak-periods. The adjacent Picnic Ground carpark is small and can be difficult to negotiate when busy. The surrounding landscape restricts expansion of the carpark.

#### **Opportunities**

Redevelopment of the carpark, new directional signage and establishment of a larger coach drop off area will enable greater vehicle flow.

### **Management Directions**

18. Install signage at the turn off to the picnic ground carpark notifying visitors of limited spaces within the carpark and include directions to the main carpark. (*High*)
19. Redevelop the carpark, including establishment of a larger coach drop off area, in line with the existing concept plan. (*Moderate*)

## **Camping and Accommodation**

### ***Bush Camping***

Formalised camping areas with basic facilities exist along the Southern Walks at Dunlop Swamp, Smitt Rock and above the eighth gorge. Visitors undertaking an overnight canoe trip within Nitmiluk Gorge are able to camp on sandy beaches in the fourth, sixth and ninth gorges. Camping fees are payable at the Nitmiluk Visitor Centre.



Canoe campsite within Nitmiluk Gorge

The Jatbula Trail has campsites with basic facilities at Biddlecombe Cascades, Crystal Falls, 17 Mile Falls and Sandy Camp Pool. At Leliyn, Sweetwater Pool is available to campers as part of the Jatbula Trail or as an overnight return trip from Leliyn. Camp fees are payable at the Nitmiluk Visitor Centre and Edith Falls Kiosk. Wood fires and camping outside of formalised camping areas is only permitted with a Nitmiluk Board approved

permit (see section 6.4).

#### Issues

The ninth gorge does not have a toilet as the campsite only has occasional use.

#### Opportunities

Installation of a removable toilet at the ninth gorge campsite may be required during the life of this Plan.

#### Management Directions

20. Monitor and investigate for the installation of a toilet at the ninth gorge canoeing campsite. *(Moderate)*

#### Gurriluk Education Campground

The youth group campground caters for educational groups and can accommodate up to 50 campers. The camp is used via a booking system and provides users with basic ablution facilities. Standard camp fees apply.

#### Issues

The facilities have become rundown and require redevelopment with new ablutions, a sheltered food preparation area, seats and tables. As the campground is small, redevelopment of facilities would impinge on existing space.

#### Opportunities

Redevelopment would create a more appealing space and provide an opportunity for other commercial interests to use the area when not booked by school groups. Jawoyn Traditional Owners have agreed to an increase in campground size into existing bushland. They would also like to see an information plaque at the campground detailing the history of the Park's hand-back.

#### Management Directions

21. Redevelop the Gurriluk Education Campground facilities, including installation of a plaque detailing the Park's hand-back to the Jawoyn Traditional Owners. Explore options for campground use by other groups, including for commercial activities. *(Low)*

#### Nitmiluk Caravan Park

Located adjacent to the Visitor Centre, the Nitmiluk Caravan Park features a number of powered and unpowered sites, hot showers, laundry facilities, free gas BBQ's, ice and LP gas for purchase and a communal food preparation area. A landscaped resort-style pool is also available for guests to use and features a deck bar where visitors can purchase refreshments. All camping and accommodation fees at Nitmiluk Gorge are payable at the Visitor Centre and can be pre-booked.

#### Issues

In peak visitor season the operator has sometimes held live entertainment at the Caravan Park and / or Visitor Centre at night. Many visitors noted in the 2010 Visitor Survey that they had a poor experience as a result of the music.

### Opportunities

The Parks and Wildlife Commission through the Nitmiluk Board will work with Nitmiluk Tours to review the terms and conditions of the Operational Agreement when it is due for renewal. Noise restrictions and limits on events may be included.

The 2010 Visitor Survey revealed the option of a quiet, nature-based experience at Nitmiluk Gorge, including an easily accessible bush-style camping area, would be well received. A bush-style camping area will potentially be investigated in conjunction with the proposed bridge development and new visitor site across the river from the Nitmiluk Visitor Centre (see section 3.7, MD 51 and 52).

### Management Directions

22. Review Operational Agreement terms and conditions for the Nitmiluk Caravan Park. Work with the operator to determine conditions related to entertainment. (*High*)

### Tent Village

Located next to the Caravan Park, the Tent Village semi-permanent tent accommodation includes camp beds, linen, portable lighting, dinner at the Visitor Centre and full use of Caravan Park facilities.

### Nitmiluk Chalets

Self-contained, fully air-conditioned two bedroom chalets are located adjacent to the Caravan Park and include a lounge and dining area, ensuite, kitchen and a balcony. Guests have full use of Caravan Park facilities.

### Cicada Lodge

The Cicada Lodge is a joint business venture between the Jawoyn Traditional Owners and Indigenous Business Australia. Situated on the riverfront of the Katherine River and adjacent to the Nitmiluk Visitor Centre, the Lodge comprises 18 rooms, each blending with its surrounds and celebrating Jawoyn Traditional Owner culture.

The Caravan Park, Tent Village, Chalets and Cicada Lodge were granted a sub-lease by the Conservation Land Corporation under the direction of the Nitmiluk Board. The operators have leases, permits and Operational Agreements issued by the Parks and Wildlife Commission at the direction of the Nitmiluk Board (see MD 13).

### Leliyn Campground

Set within natural Park surroundings, this bush-style campground includes 51 unpowered caravan and camping sites and includes hot showers and free gas BBQ's. The Edith Falls Plunge Pool and Leliyn Trail track-head are a short stroll away. The campground is managed by a private operator under a permit and Operational Agreement (see MD 13). Camp fees are payable at the Edith Falls Kiosk. Sites are issued to visitors on a 'first in first served' basis. A Parks and Wildlife Commission owned electronic sign is located, with the approval of the Department of Infrastructure, within the Stuart Highway road reserve beside the turnoff to Edith Falls Road. The sign advises of campsite availability and swimming and walking track closures and is updated as required from the Leliyn Ranger Station.

### Issues

The campground has become very popular in recent years with its natural, undeveloped

character its primary attraction. During the tourism season the campground is increasingly full by the middle of the day. Subsequently increasing numbers are illegally camping outside of the Park along Edith Falls Road, disturbing the nearby community of Werenbun. Increasing the campground's size is somewhat limited by the surrounding landscape with Ranger residences, escarpment and creek-lines blocking expansion on each side.

### Opportunities

A new Leliyn Tourism Hub Masterplan is required to determine future development of the site. In the meantime, the operator will manage volume more effectively through a campsite booking system.

The Commercial Development Plan makes a recommendation for additional camping facilities to be created at the nearby off-Park site of Mt Todd and will be considered separately from this Plan.

### Management Directions

23. Develop and implement a new Leliyn Tourism Hub Masterplan. (*High*)
24. Introduce a campsite booking system at Leliyn through the operator. (*High*)

### Swimming

Swimming is one of the most popular Park activities. The Nitmiluk Board recognises that continuing to provide opportunities for swimming within Nitmiluk National Park is critical to Top End visitors and the tourism industry. Swimming at Leliyn is closed after heavy rainfall when water levels rise and turbulence increases. Nitmiluk Gorge is closed to swimming in the Wet season after water levels rise.



One of many superb swimming holes within the Park  
(photo: Tourism NT)

### Issues

Responses from the 2011 tourism industry survey and workshops indicated that tour operators are not always aware when swimming is no longer available within the Park, resulting in visitor disappointment upon arrival in the Park.

Both Nitmiluk Gorge and the Edith Falls Plunge Pool continue to remain closed to swimming even after water levels have dropped at the end of the Wet season. This is due to an

increased risk of estuarine (saltwater) crocodiles having entered the system when the water levels were high. A crocodile monitoring program is undertaken in accordance with the 'Estuarine (Saltwater) Crocodile Management for Visitor Safety - Nitmiluk National Park' plan before swimming is reopened. Closing Nitmiluk Gorge and the Edith Falls Plunge Pool to swimming for increasingly prolonged periods due to crocodile risk has serious consequences for tour operators and the wider Katherine Daly region.

### Opportunities

Keeping the tourism industry, tour operators and the wider community informed when Nitmiluk Gorge and Leliyn are opened or closed for swimming is important and there are opportunities for communication to be significantly improved (see also section 6.2, MD 110).

Continuing to provide opportunities for swimming within the Park is very important (see section 3.8, MD 66).

#### Management Directions

25. Overhaul communication procedures so that the tourism industry and tour operators are updated as soon as swimming and canoeing availability within the Park changes. (*High*)

### Nitmiluk Gorge

A swim jetty is located at Nitmiluk Gorge near the boat tour launch area and Boat-ramp.

Side gorges off the Nitmiluk Gorge, including Southern Rockhole and Lily Ponds, are popular sites after the Wet season while water continues to flow, as is Northern Rockhole along the Jatbula Trail which can be visited on a day trip.

### Jatbula Trail

All Jatbula Trail campsites are near permanent water and provide visitors with an opportunity to cool off. Swimming opportunities are at Biddlecombe Cascades, Crystal Creek above Crystal Falls, 17 Mile Creek, Sandy Camp Pool and Sweetwater Pool.

### Leliyn

The Edith Falls Plunge Pool and Upper Pools are the most popular swimming sites in the Park. The Plunge Pool has a number of entry points and includes a pontoon for visitor use in the Dry season as well as a bridge across the Edith River which provides excellent views of Edith Falls. Sweetwater Pool is also ideal for swimming and the return walk can be undertaken as a day or overnight walk.

### Issues

The main entry path to the Plunge Pool pontoon is becoming eroded due to heavy foot traffic and annual flooding.

### Opportunities

Concreting the pontoon pathway will rectify erosion issues and allow wheelchair access.

#### Management Directions

26. The main entry path to the Leliyn pontoon will be concreted to prevent erosion and to provide wheelchair access. (*Low*)

### Walking

With over 100 km of walking tracks within the Park, visitors have a variety of experiences to choose from, ranging from strolls along riverbanks, overnight walks and long distance hikes. The Parks and Wildlife Commission has adopted the Australian Walking Track Grading System for all walks within the Park. Bushwalking off designated tracks is only allowed by special permission



from the Nitmiluk Board (see section 6.4).

### Issues

Large feral animals are seen along Park walking tracks on occasion. No visitor has been injured by feral animals, however people feel threatened by their presence.

Walking track Emergency Call Devices (ECD's) located along the Jatbula Trail and Southern Walks are subject to intermittent failure and the fixed nature of ECD's are not as efficient as satellite phones or Personal Locator Beacon's (PLB's).

There is an undersupply of short walks of easy grading available to visitors, despite short walks being the most popular activity undertaken by survey respondents in 2010.

### Opportunities

Information on how to hire PLB's and / or satellite phones will be made available online and at the Visitor Centre.

Visitor Centre information staff will be required to continue to provide a safety briefing to walkers, including taking care when feral animals are sighted and encouraging walkers to carry PLB's or satellite phones for emergency situations (see MD 13). The annual walking track aerial control program will continue.

Walking track risk reduction strategies will be reviewed and the ECD system removed from walking tracks after PLB's and satellite phones are more widely accepted for use by the public.

Additional walks of easy grading are being considered for Nitmiluk Gorge and Leliyn (see section 3.7, MD 47).



A scenic rest stop along the Jatbula Trail

### Management Directions

27. Work with the Visitor Centre operator to develop a system of PLB and / or satellite phone hire for visitors. *(High)*
28. Conduct strategic culls of feral animals along Park walking tracks for visitor safety. *(High)*
29. Revise walking track risk reduction strategies. Phase ECD's out once PLB's and / or satellite phones are more widely accepted for use by the public. *(Moderate)*

### Southern Walks

The Southern Walks allow visitors to explore the Nitmiluk Gorge system and surrounding escarpment with opportunities for swimming and camping away from the crowds. The network of tracks includes a total of 35 km on the plateau on the southern side of Nitmiluk Gorge.

### Issues

The section of track leading from the Gorge Road to the start of the Jawoyn Valley Walk also functions as a service track. Encountering a vehicle while embarking on a Southern Walk can

reduce visitor enjoyment.

The majority of Southern Walks walking tracks are one-way, which can reduce visitor enjoyment.

### Opportunities

Realignment of the walking track away from vehicle access is being investigated at the time of this Plans preparation.

The Southern Walks walking track realignment provides an opportunity for loop walks to be created out of each of the one-way walks. The creation of loop walks will enhance visitor experience.

### Management Directions

30. Realign the Southern Walks walking track away from vehicle access. (*High*)
31. Investigate options for loopwalks to be created out of each of the existing Southern Walks, with a higher priority placed on the shorter, more popular walks of Windolf, Butterfly Gorge and Lily Pond. (*Moderate*)

### Northern Rockhole

Visitors can take a ferry from the Nitmiluk Boat-ramp to the start of the 2.5 km track to Northern Rockhole. Walkers organise the return ferry ride at the Nitmiluk Visitor Centre.

### Jatbula Trail

Nitmiluk Board Vision Statement (from the Jatbula Trail Management Strategy)

*The Jatbula Trail is a unique cultural and wilderness experience that offers and showcases:*

- *living Jawoyn culture;*
- *a remote walk through ancient natural and cultural landscapes; and*
- *Nitmiluk Board members working together in a spirit of co-operation through caring for country and sustainable tourism.*

The 62 km Jatbula Trail is a four to five day one-way hike from Nitmiluk Gorge to Leliyn. The Trail follows the edge of the Arnhem Land plateau and is the route travelled by generations of Jawoyn Traditional Owners. The Trail is open throughout much of the year, however with the onset of Wet season conditions creeks can become dangerous to cross and so the Trail is closed at those times. A ferry to the trail-head is organised at registration and a bus from Leliyn to Katherine or Nitmiluk Gorge may be pre-booked with Nitmiluk Tours. A Jatbula Trail Management Strategy is directing management of the Trail until 2014.

### Issues

The Management Strategy identifies Trail issues, and includes the following key issues:

- The Trail has significantly increased in popularity in the past five years. The current 15 person per day departure limit is restrictive;
- Campsites are very small and require upgrading;
- The Trail may require realignment along some sections to better manage the route and some environmentally sensitive sections of the trail have become degraded over time;
- Trail information needs upgrading, including the trail map and interpretive booklet; and

- The booking system and Trail revenue requires revamping.

### Opportunities

The Nitmiluk Board wishes to elevate the Jatbula Trail to iconic Australian Great Walk status. Recommendations from the Management Strategy are being implemented by the Parks and Wildlife Commission. A review of the Strategy will take place in 2014 with a new Strategy prepared if required. Key opportunities include:

- An increase in visitor numbers to a maximum of 30 people commencing per day. This will not compromise the trail quality, the environment or visitor satisfaction levels;
- Campsite upgrades including adequate space for a maximum of 30 campers;
- Trail realignment along several sections will better manage environmental factors and enhance scenic opportunities. Short boardwalks are to be installed in environmentally sensitive areas;
- Engaging with Jawoyn Rangers and commercial operators to provide voluntourism projects to assist with trail openings and ongoing maintenance;
- Trail information to be redeveloped and innovative options to deliver information and engage visitors prior to and during their visit will be explored, including the use of new technology (see section 3.9, MD 69);
- A user-managed system of walker registration is currently being reviewed and standardised across all NT Parks. Trail fees are also being reviewed; and
- An additional Nitmiluk National Park visitor site could potentially be created part-way along the Jatbula Trail (see section 3.7, MD 55 and 56).

### Management Directions

32. Implement the Jatbula Trail Management Strategy including considering an increase in the walker limit, campground upgrades, Trail realignments and information redevelopment. Conduct a review of the Strategy prior to 2014 and prepare a new Strategy if required. (*High*)
33. Standardise the registration system for this walk in line with the requirements for all long distance walks across the Parks and Wildlife Commission estate. (*High*)

### Leliyn Trail and Sweetwater Pool

The two walks at Leliyn provide pathways through the sandstone escarpment with views of picturesque waterfalls and opportunities for a refreshing swim. The Leliyn Trail is a 2.6 km circuit which provides access to the Upper Pools and views of Bemang Pool on the plateau above Leliyn. The 8.6 km Sweetwater Pool return walk can be undertaken as a day or overnight walk.

### Canoeing

Most canoeists at Nitmiluk Gorge paddle between the first three gorges, however some visitors venture into the upper reaches and camp overnight. There are three designated camping areas along the river and canoeing is permitted to the top of the ninth gorge. A maximum of 75 canoes are permitted on the water at any one time and a maximum of 20 patrons are issued with a camping permit per day. Canoeing at Nitmiluk Gorge is closed in the Wet season after water levels rise.

Most canoes are hired from the Canoe Shed, located beside the boat tour launch jetty. This service is operated by a private operator working within a By-law 13 permit (see MD 13). Canoes

are hired for half, full or 2-days. Visitors can use their own canoes however they must register at the Visitor Centre prior to launching.

### Issues

Responses from the 2011 tourism industry survey and workshops indicated that tour operators are not always aware when canoeing is no longer available within the Park, resulting in visitor disappointment upon arrival in the Park.



One of the most enjoyable ways to experience the Park  
(photo: Tourism NT)

Nitmiluk Gorge remains closed for canoeing even after water levels have dropped at the end of the Wet season. This is due to an increased risk of estuarine (saltwater) crocodiles entering the system when water levels are high. A

crocodile monitoring program is undertaken in accordance with the *'Estuarine (Saltwater) Crocodile Management for Visitor Safety – Nitmiluk National Park'* plan before canoeing is reopened. Closing Nitmiluk Gorge to canoeing for increasingly prolonged periods due to crocodile risk has serious consequences for tour operators and the wider Katherine Daly region.

Canoeists are not permitted to ride the rapids. Canoes and gear must be carried over crossovers between the gorges and portage can be quite strenuous within the upper gorges, especially when the river is low.

The first two gorges can become congested with boats and canoes at mooring points during peak visitor periods which may be a safety issue for canoeists.

### Opportunities

Keeping the tourism industry, tour operators and the wider community informed when Nitmiluk Gorge is opened or closed for canoeing is very important and there are opportunities for communication to be significantly improved (see MD 25 and also section 6.2, MD 110).

Continuing to provide opportunities for canoeing within the Park is very important (see section 3.8, MD 66).

The canoe hire operator and Visitor Centre information staff will be required to continue to provide a safety briefing to canoeists and advise of appropriate behaviour whilst on the water (see MD 13). Park operational staff conduct regular patrols during peak periods to monitor compliance with safety requirements.

Congestion within the gorges is minimised through limits on canoe numbers. Existing numbers of canoeists on the water and locations for access will be reviewed during the life of this Plan.

Requests to canoe further than the ninth gorge is approved by the Nitmiluk Board through a permit application process (see section 6.4).

### Management Directions

34. Conduct regular patrols within the Park, particularly within Nitmiluk Gorge, to ensure visitor safety

and compliance with Park By-laws. (*Ongoing*)

35. Conduct a review of existing maximum canoe numbers and locations for access. (*Low*)

### Private Motorised Boating

Visitors can launch privately owned motorised boats at the Nitmiluk Boat-ramp (see Map 3, inset 2) between daylight hours from 1 September to 31 May, except when the river is closed due to Wet season flooding. Visitors may use the first gorge but boats must be registered at the Nitmiluk Visitor Centre before being launched. Private boats must be less than 4 metres long with a maximum 15hp motor. A speed limit of seven nautical miles per hour is in place and other normal waterway rules apply.

Boats and canoes are not permitted at Leliyn.

#### Issues

The top of the first gorge can become congested during peak boat tour periods which may be a safety issue for private boaters.

#### Opportunities

Nitmiluk Tours Visitor Centre information staff will be required to provide a safety briefing to private boaters and advise of restrictions (see MD 13). Park operational staff conduct regular patrols to monitor compliance with safety and other requirements (see MD 34).

### Touring

#### Boat Tours

Nitmiluk Tours operate guided boat tours within Nitmiluk Gorge under an Operational Agreement (see MD 13). Boat tours allow visitors to experience Nitmiluk Gorge in relative comfort and safety. Tours range from the popular two gorge cruise, to half and full day safaris. Tours depart from the Nitmiluk Boat-ramp.

#### Issues

Congestion can occur at the first / second gorge crossover during peak visitor periods. This may reduce visitor experience and can be a safety issue.

Insufficient shaded seating is available for senior visitors waiting to board a boat tour.

#### Opportunities

From 2012 a Nitmiluk Tours safety marshal is stationed at the first / second gorge crossover during peak boat tour hours to provide assistance in an emergency.

To manage visitor safety and the visitor experience, limits are in place on the number of boats permitted within the gorges at any one time. These limits will be reviewed during the life of this Plan.

Seating with adequate shade is recognised as a requirement.

#### Management Directions

36. Ensure a safety marshal is stationed at the first / second gorge crossover during peak periods. (*High*)

37. Conduct a review of existing tour boat numbers permitted on the water. (*Moderate*)

38. Install additional shaded seating beside the Canoe Shed. (*Moderate*)

### **Power Boat Tours**

Power Boat tours are conducted within Nitmiluk Gorge in the Wet season when all conventional launch boats are removed, the river is closed to all other watercraft, and the river reaches a flood level of 1.91 metres or above. The Power Boat is equipped to carry visitors through the first three gorges. Power Boat tours are operated by Nitmiluk Tours through an Operational Agreement (see MD 13).



Wet season Power Boating within the Gorge

### **Issues**

Power Boat safety is a primary concern due to tours operating in periods of flooding.

### **Opportunities**

Power Boat safety is well addressed in the operator's permit and Operational Agreement. The boats and crew are subject to special NT Marine Branch licensing and there is a strict regime of safety procedures in place, including scheduled communication. A Power Boat tour emergency response plan has been prepared and forms part of the binding Operational Agreement.

### **Management Directions**

39. Work with the NT Marine Branch and the Power Boat operator in monitoring the upkeep of safety standards, including emergency response training. (*Ongoing*)

### **Flights**

Helicopter tours are conducted by an operator working on-Park through an Operational Agreement. Tours operate from a Territory Government funded helipad constructed along Gorge Road in 2010 (see MD 13). Heli-tours range from popular short journeys over Nitmiluk Gorge to more lengthy tours over the wider Arnhem Land plateau with stopovers at remote waterholes and Jawoyn rock art sites. Landing within the Park is only permitted by the operator and only at a handful of landing sites, as approved by the Nitmiluk Board.

Overflight of the Park by aircraft based outside the Park is subject to Civil Aviation Safety Authority regulations and a Fly Neighbourly Agreement endorsed by the Northern Territory Regional Airspace and Procedures Advisory Committee (NT RAPAC). The Fly Neighbourly Agreement advises use of air space over the Park and is similar to the conditions that apply to the Park-based operator.

Aircraft from the nearby RAAF Tindal Air Base occasionally overfly the Park. RAAF overflights are subject to guidelines developed in consultation with Park operational staff.

### **Issues**

Frequent Park overflights can significantly decrease other visitor's enjoyment of the Park.

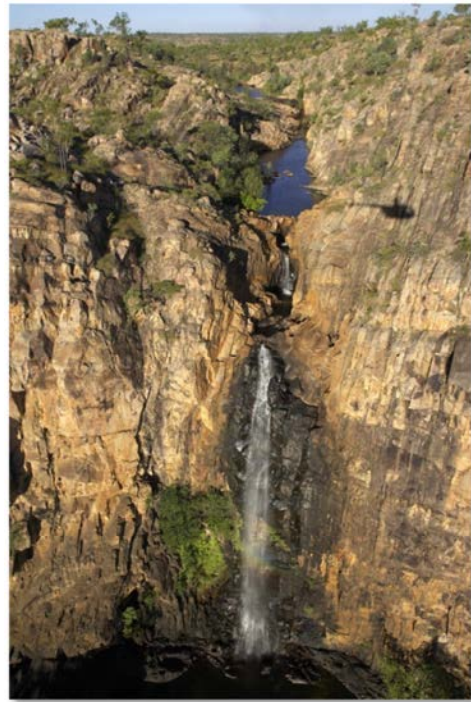
The Fly Neighbourly Agreement is not legally enforceable.

### Opportunities

Regular engagement with aviation stakeholders enhances relations and encourages greater cooperation between the parties. Park operational staff will work toward establishing more effective engagement into the future.

Minimising the impact of flying operations on other Park visitors is a priority. Limits on flight paths and heights through the Fly Neighbourly Agreement, guidelines for the RAAF, and appropriate restrictions on operations through Operational Agreements will continue to be supported by the Nitmiluk Board. Breaches to flight limits will be recorded by Park operational staff for discussion at stakeholder meetings and at Nitmiluk Board meetings. Records and any other suitable evidence will form a basis on which improvements to agreements and guidelines will be made.

New opportunities, such as the creation of an additional long distance walking trail (see section 3.7, MD 57 and 58), may require helicopter landings for supply drops. The Nitmiluk Board will consider additional helicopter landing sites within the Park in conjunction with new opportunities.



The Park provides breathtaking views from the air (photo: Tourism NT)

### Management Directions

40. Engage aviation stakeholders where possible, including through NT RAPAC meetings. (*High*)
41. Maintain a database of flight limit breaches, to be used as a basis for discussion at stakeholder meetings and to improve agreements and guidelines. (*Moderate*)
42. Consider additional helicopter landing sites within the Park for operations, in conjunction with the creation of new activities. (*Ongoing*)

### Birdwatching

The Park offers significant potential for birdwatching and this activity is an increasingly popular interest of visitors.

#### Issues

There are no provisions for birdwatching activities within the Park.

#### Opportunities

The Park has an opportunity to cater for birdwatchers by providing dedicated information and supporting the development of new experiences. This aligns with Tourism NT's current marketing strategies which are based on emerging visitor interests.

The Park information and interpretation plan will detail a strategy for presenting birdwatching information (see section 3.9, MD 69). This may include engaging local birdwatching groups to create an updated Park bird-list. A theme of distinctive bird species within the Park will be a key focus for future signs at Leliyn.

The Nitmiluk Board will support tour operators interested in developing quality tourism experiences such as specialised tours for birdwatchers.



Keen birdwatchers will travel long distances to see special birds

#### Management Directions

43. Investigate opportunities for providing specialised information and experiences within the Park. (*Moderate*)
44. Work with the tourism industry to better promote specialised on-Park activities and with tour operators interested in developing specialised tourism experiences within the Park. (*Ongoing*)

#### Fishing

Fishing is a minor visitor activity within the Park with the majority of fishing undertaken from the riverbank within the first gorge. By-law 21 of the *Territory Parks and Wildlife Conservation By-laws* apply in the Park and only the use of lures is permitted. People fishing within the Park must ensure they comply with this by-law and any other applicable laws. In the interests of visitor safety the Nitmiluk Board prohibit visitors from fishing in the Edith Falls Plunge Pool and from Park infrastructure including the first gorge boat ramp and the swim jetty. For cultural reasons the Traditional Owners ask visitors not to fish in the second gorge.

#### Management Directions

45. Recreational fishing is subject to relevant legislation and will continue to be prohibited at Edith Falls Plunge Pool. (*Ongoing*)

#### Photography

With striking scenery and numerous opportunities to view native wildlife, nature photography was rated the second most popular activity undertaken by visitors in the 2010 Parks and Wildlife Commission visitor survey. Private film and photography is allowed within the Park, however commercial use of photos and film requires a permit approved by the Nitmiluk Board (see section 6.4).

### 3.7 Proposed New Park Developments

*'We should keep thinking about what we can do there (for visitors). Need to dream more, be more open to possibility'* - Jawoyn Traditional Owner

Tourism research suggests future development should be aimed towards the 'Experiential Traveller'. This type of traveller wants a holiday with meaning and purpose that is based on the



Territory's natural and cultural values. They want an authentic holiday that is not just 'sight-seeing' but is also interactive with local culture, provides a sense of personal enrichment and is ecologically sustainable. New and existing sites and activities within the Park can be developed to cater for this type of traveller, enhancing visitor experience, being sustainable and reducing overcrowding.

The Parks and Wildlife Commission has developed a Tourism and Recreation Masterplan for the NT park estate. This document identifies opportunities for new or enhanced experiences primarily across the top 20 parks in the estate. Direction provided by the Masterplan will be considered in any proposed development for the Park. In addition, all new Park developments must be constructed with the Park's values and vision in mind. The Park's visitor experiences, cultural and conservation values, and natural character are most important.

#### Management Directions

46. New Park developments will be located and constructed with the highest regard to environmental values. Professional site plans are required for significant developments, including new roads, tracks, carparks and buildings. (*Ongoing*)

### Short Walks

Short walks of less than two hours duration are the most popular non-commercial activity within the Park. There are many walking tracks, however few short walks of an easy grading. Walks at Nitmiluk Gorge and Leliyn have been planned.

#### *Nitmiluk River Path*

This shady riverside walk will take visitors from the Visitor Centre down to the river's edge before looping back up to the Visitor Centre. There is potential for detailed interpretation of river-life and cultural associations.

#### Issues

Potential flood damage must be considered in the final siting of infrastructure and design of the walk.

#### Opportunities

The Nitmiluk River Path will have minimal infrastructure and removable interpretive signs.

The proposed bridge near the Nitmiluk Visitor Centre will provide more options for easy short walks (see MD 51).

#### *Leliyn Forest Boardwalk and River Ramble*

An interpretive boardwalk is proposed from the Edith River bridge. The boardwalk will progress downstream, through the riverine forest to the start of the River Ramble. The River Ramble will continue downstream before crossing at a narrow section of river. It will then loop back upstream, finishing at the Picnic Ground.

#### Issues

Potential flood damage must be considered in the final siting of infrastructure and the design of the Boardwalk and Ramble walk.

### Opportunities

The River Ramble will be unformed, marked only by track markers on posts and may need to be re-routed from time to time. Interpretive signs will be limited to a fixed display at the start of the track.

### Management Directions

47. Develop proposed short walking track routes at Nitmiluk Gorge and Leliyn. (*High*)

### Adventure Activities

Nitmiluk National Park is occasionally sought out for “adventure pursuits”. Such activities often conflict with other Park values or the enjoyment of other visitors. These activities are normally not permitted by the Nitmiluk Board, are generally not catered for by the Parks and Wildlife Commission and can usually be pursued outside of parks. Among these activities are rock climbing, abseiling and white water kayaking and rafting.

#### *Cycle Trails / Mountain Biking Tracks*

As interest in cycling increases, the Parks and Wildlife Commission plans to provide dedicated cycle trails and mountain biking tracks in more parks. The landscape of Nitmiluk National Park provides a great setting for cycling and mountain biking with dramatic scenery and varied surfaces. The Nitmiluk Board would like to develop cycling opportunities within the Park. Realignment of the Southern Walks walking track (see section 3.6, MD 30) provides an opportunity for a pilot cycle trail to be built. There are also opportunities for a long distance mountain biking track or shared mountain biking and walking track to be developed within the Park.

#### Issues

Few adventure-based recreational opportunities are available within the Park.

There are no designated cycle trails or mountain biking tracks within the Park.

#### Opportunities

An 11 km one-way pilot dedicated cycling trail or shared cycling and walking trail is planned. Starting from Gorge Road and finishing at the start of the Jawoyn Valley Walk, the trail will follow an existing section of the Southern Walks walking track. The trail will be developed as a dedicated cycling trail or as a shared cycling and walking trail once the Southern Walk has been realigned.

Construction of an additional section to the planned cycle trail, creating a complete loop cycle trail, will also be investigated.

The development of a long distance mountain biking track or shared biking and walking track and camping facilities will be investigated during the life of this Plan. A disused vehicle track along the Park boundary from Nitmiluk Gorge to Leliyn is the proposed location for the track.

### Management Directions

48. After the walking track realignment (MD 30), develop a pilot cycling trail or shared cycling and walking trail from Gorge Road to the Jawoyn Valley Walk along the existing Southern Walks track. Work with cycling groups to ensure track standards meet user needs and comply with international track standards. (*High*)

49. Investigate development of an additional section to the cycle trail, creating a loop trail starting and finishing along Gorge Road. (*Moderate*)
50. Investigate the potential for a long distance mountain biking track and camping facilities within the Park. Sites to investigate include the disused vehicle track along the Park boundary from Nitmiluk Gorge to Leliyn. (*Low*)

### Potential New Visitor Sites

Development within Nitmiluk National Park is currently confined to two tourism hubs in the south-west of the Park. The creation of additional visitor sites is proposed, catering for current and future demand and helping to disperse visitors. New sites will facilitate the development of additional opportunities by tour operators which will improve visitor experience and encourage visitors to stay in the Park for longer. Some initial investigations to identify suitable areas for future development have occurred. The following sites have some potential for development.

#### *Northern Riverbank Visitor Site and Bridge*

Feedback received through the 2010 Visitor Survey revealed many visitors would like the option of a quiet, nature-based experience at Nitmiluk Gorge. This includes easy access to bush-style camping away from the crowds and short walks of easy grading. In response to this a new low-level pedestrian bridge is proposed, opening access to additional areas for new opportunities. Development of the bridge is critical for future Park development.

#### Issues

The Nitmiluk Visitor Centre and Campground have become increasingly commercialised and can become congested in peak visitor season.

Potential flood damage must be considered in the design and siting of the proposed bridge and any infrastructure to be developed on the northern riverbank.

#### Opportunities

A bridge from the Nitmiluk Visitor Centre to the northern bank of the Katherine River will provide scenic views toward the first gorge and allow access to the mouth of 17 Mile Creek, Northern Rockhole and the start of the Jatbula Trail. A bridge will also help to relieve congestion from around the Visitor Centre

Creation of new opportunities will be investigated for the northern riverbank as part of the proposed bridge development. This includes the creation of a privately managed bush-style campground in close proximity to the main attractions. Short walks of easy grading will also be investigated.

#### Management Directions

51. Undertake a detailed assessment for the proposed low-level pedestrian bridge and develop concepts for consideration. (*High*)
52. Undertake a detailed site assessment and develop a concept plan for a Northern Riverbank visitor site. (*High*)

#### *Eastern Park Tourism Hub*

There is potential for the development of a tourism hub near the Park's eastern boundary, adjacent to the community of Manyallaluk.

### Issues

An Eastern Park Tourism Hub will require liaison with the Manyallaluk Aboriginal Land Trust and the Jawoyn Association regarding access through Jawoyn land.

Current access to the eastern portion of the Park is limited to a difficult four-wheel drive service track. Development of a visitor site will require the creation of a more suitable access track from Manyallaluk.

### Opportunities

Recreational opportunities and facilities at an Eastern Park Tourism Hub include short walking tracks with lookout points, a kiosk and camping. The development has the potential to include access to the proposed long distance walking trail, allowing visitors to walk to Nitmiluk Gorge as well as Kakadu National Park (see MD 57 and 58).

There is potential for world class accommodation to be developed (see MD 59). Development of the hub will involve negotiations with Manyallaluk community and local cultural tourism developments.

### Management Directions

53. Investigate and identify a location in the eastern portion of the Park, adjacent to Manyallaluk community, to develop a visitor site. Determine possible recreation uses and suitability for camping and accommodation. (*Moderate*)
54. Undertake a detailed site assessment to determine infrastructure requirements and develop a concept plan for an Eastern Park Tourism Hub. (*Low*)

### Jatbula Trail Visitor Site

The Jatbula Trail has potential for future development through the creation of a visitor site part-way along the Trail.

### Issues

Access to the Jatbula Trail is currently limited to a difficult four-wheel drive service track. Development of a visitor site will require the creation of a proper access track.

### Opportunities

There is potential for a Jatbula Trail visitor site to be created through the development of world class accommodation (see MD 59).

### Management Directions

55. Investigate options for the development of a new visitor site along the Jatbula Trail. Consider impacts a site will have on the current 'Jatbula experience'. (*Low*)
56. Undertake a detailed site assessment to determine infrastructure requirements and develop a concept plan for a Jatbula Trail visitor site. (*Low*)

## Long Distance Walking Trail

Long distance walking trails are an important part of many Park's commercial development and if well marketed nationally and overseas can become international icons for walking groups.

A long distance walking trail between Nitmiluk and Kakadu National Parks has been proposed

with development occurring in stages. Standing camps along the trail for use by tour groups has also been proposed. Sections of the proposed trail include:



A new long distance walking trail is proposed  
(photo: Tourism NT)

- Nitmiluk Gorge to Manyallaluk community;
- Nitmiluk Gorge - Manyallaluk trail to Nibuldakya; and
- Extensions to Mann River and Border Store, with loops to Jim Jim and Twin Falls.

#### Issues

The viability of an additional long distance walking trail through terrain similar to the Jatbula Trail needs to be determined.

#### Opportunities

Development of the Nitmiluk Gorge to Manyallaluk Trail, along with standing camps, will be investigated as part of the proposed Eastern Park Tourism Hub project. Trail viability will be a key item of investigation.

Development of additional trail sections has been identified in the Draft Kakadu National Park Walking Strategy. The Nitmiluk Board and the Kakadu National Park Board of Management intend holding dual Board meetings to discuss and make decisions on joint projects. A trail strategy will be created for establishment of the entire trail.

#### Management Directions

57. Investigate the potential for development of a long distance walking trail from Nitmiluk Gorge to Manyallaluk community, including standing camps, as part of the proposed Eastern Park Tourism Hub project. (*Moderate*)
58. Commence discussions with Kakadu National Park Board of Management on development of the northern sections of the proposed long distance walking trail. Create a strategy for establishment of the entire trail. (*Moderate*)

#### World Class Accommodation

The NT Government's Tourism 2020 Plan identified a significant product gap for the Northern Territory for immersive, experiential, nature-based accommodation in key locations. It also identified that a greater pool of investors needs to be attracted to the Territory and that practical measures are required to fast-track investment decisions. In response to this gap, the NT Government's Major Projects Group (with Tourism NT as the lead agency) have proposed a world class accommodation development initiative to facilitate investment in the NT by pre-preparing sites for a suite of environmentally responsible, nature-based tourism accommodation developments.

#### Issues

There is a product gap for world-class, small-scale tourist accommodation within the Katherine

Daly region.

### Opportunities

Nitmiluk National Park is considered a premier location for world class accommodation development. Opportunities exist to develop visitor accommodation which is distinct from existing offerings in the region, including the Cicada Lodge. Potential locations to be investigated include the upper regions of Nitmiluk Gorge, the proposed Eastern Park Tourism Hub and adjacent off-Park community of Manyallaluk, and Leliyn.

#### Management Directions

59. Identify and investigate potential locations for a world class accommodation development within the Park. (*Moderate*)

### New Nitmiluk Gorge Carpark

#### Issues

The main Nitmiluk Gorge carpark can overflow for short periods during peak visitor season and this issue will intensify if visitor numbers increase in future.

Topographical restrictions will only allow for minor extensions to the existing carpark. A small increase will not resolve the issue for an extended period.

#### Opportunities

A new carpark is proposed for development near the front entrance to the Park.

A privately operated shuttle mini-bus service to service the new carpark, the Nitmiluk Visitor Centre and the boat tour launch area is also proposed.

#### Management Directions

60. Investigate and identify a location within the Park along Gorge Road for a new carpark. Undertake site planning and tender for a private operator to commence shuttle bus services when the carpark is completed. (*Moderate*)

## 3.8 Visitor Safety

***'They travelling from a long way. Don't know this country. We gonna be responsible for them. We have to look after them' - Jawoyn Traditional Owner***

Visitor safety is very important in the management of the Park. The Parks and Wildlife Commission Visitor Incident system provides a basis on which to respond to emergencies. Having adequate resources and trained, competent operational staff allows the system to be applied effectively.

The main safety concerns within Nitmiluk National Park are:

- Visitors becoming lost, injured or affected by heat and / or dehydration;
- Rugged terrain and remote area injury;
- Accidents and injury while swimming, canoeing or walking;
- Injury while using Park infrastructure;

- Vehicle and water vessel accidents; and
- Flood, fire, feral animals and estuarine (saltwater) crocodiles.

The Parks and Wildlife Commission will continue to perform annual risk management assessments. Specific risk reduction activities will be described in annual operational action plans. All incidents will be reported centrally and the Parks and Wildlife Commission's Work Health and Safety and Hazard Reduction Guidelines will continue to be followed by Park operational staff.

Park directional signage will be reviewed and improved as necessary. Good visitor information, that shapes visitor expectations and behaviour, will assist in reducing incidents of injury to visitors.

Emergency helipads will continue to be maintained near Leliyn Ranger Station, at Jatbula Trail campsites and along the Southern Walks.

#### Management Directions

61. Perform annual risk management assessments. (*Ongoing*)
62. Review and upgrade directional signs so visitors are able to locate Park facilities. (*Ongoing*)
63. All Park operational staff will be familiar with the Visitor Incident System and be trained and prepared to implement it at any time. (*High*)
64. Park operational staff will work closely with NT Police, Fire and Emergency Services and Bushfires NT and during safety incidents when required. (*High*)

#### Performance Measures

- Implementation of the Visitor Incident System and no serious injury or death of Park visitors.

### Estuarine (saltwater) Crocodiles

Estuarine (saltwater) crocodiles occur within the Park in the Wet season and visitors are warned through pre-visit information and on-Park signage. All public education is undertaken in accordance with the Parks and Wildlife Commission's 'Be Crocwise' program. Crocodile surveys, traps and detection floats are used within Nitmiluk National Park throughout the year to assist with the detection and removal of estuarine (saltwater) crocodiles. Before swimming and canoeing is permitted within designated areas of the Park after Wet season water levels have dropped, surveys must find no presence of estuarine (saltwater) crocodiles (see section 3.6).

Nitmiluk Gorge and the Edith Falls Plunge Pool are managed as 'Exclusion' zones and Park operational staff do everything they can to mitigate risk. 'Exclusion' means preventing estuarine (saltwater) crocodiles from entering the zone such that the level of risk is low enough to recommend swimming. Active monitoring for crocodiles occurs in accordance with the Parks and Wildlife Commission's '*Estuarine (Saltwater) Crocodile Management for Visitor Safety – Nitmiluk National Park*' plan, a document which is available to the public via the internet. On-Park crocodile management is supported by activities undertaken off the Park in accordance with the *Katherine River Saltwater Crocodile Management Plan*, which incorporates the Katherine River to the south-west of the Park. This portion of the river is divided into three separate zones. The zone abutting Nitmiluk National Park is managed by Parks and Wildlife Commission Wildlife staff as a 'No Tolerance' zone. 'No Tolerance' means significantly reducing the risk of attack by removing any estuarine (saltwater) crocodiles that enter the zone. Both crocodile management plans are reviewed regularly or as required.

The risks associated with estuarine (saltwater) crocodiles are increasing in the Northern Territory due to changes in both crocodile and human populations. Identifying and then implementing additional crocodile management methods will ensure swimming and canoeing continues to be offered within the Park.



The Nitmiluk Board takes visitor safety very seriously

The level of risk will be regularly reviewed. Change in access to water-based activities may be necessary in order to protect visitors. If any change in water-based activity access is considered necessary to protect visitors, the tourism industry and other stakeholders will be consulted prior to any restrictions being imposed.

#### Management Directions

65. Maintain the '*Estuarine (Saltwater) Crocodile Management for Visitor Safety – Nitmiluk National Park*' plan across the Park and review the plan annually. (*High*)
66. Identify and implement suitable crocodile management methods for Nitmiluk Gorge and Edith Falls Plunge Pool to secure continued swimming access at Lelyn and continued swimming and canoeing access at Nitmiluk Gorge. Strategies may include barrier fencing and increased crocodile management downstream of Nitmiluk Gorge and the Plunge Pool. (*High*)
67. Regularly review estuarine (saltwater) crocodile risk throughout the life of this Plan. Consult all stakeholders if risk levels are considered too high for visitor safety. (*High*)

#### Performance Measures

- Implementation of the '*Estuarine (Saltwater) Crocodile Management for Visitor Safety*' plan.

### 3.9 Visitor Information and Interpretation

The Jawoyn Traditional Owners want visitors to appreciate the Park as Indigenous land which is owned and managed by Traditional Owners. Jawoyn Traditional Owners see a major benefit of sharing their land with visitors is the opportunity to communicate their ideas to people and encourage them to experience their culture first hand.

The Park provides three forms of interpretation within the Park. This includes written handouts and information books, signs and displays, and Ranger talks. Interpretation is also provided by the tourism industry and tour operators.

Signs, including the Visitor Centre's interpretive displays, have become dated and content requires greater cultural emphasis.

A review of all Park information is required and an information strategy will be produced. The strategy will focus on

- Increased use of Jawoyn Traditional Owner placenames, words and stories, and reinstatement of the 'Nitnit' Visitor Centre film;
- Innovative presentation of information, i.e. touch screens, phone apps, social media and



internet with information tailored to support visitation from China and other foreign language tourism markets such as Germany, France and Japan;

- Visitor Centre display and playground upgrade, implemented as part of the proposed Centre redevelopment and / or creation of additional space for cultural information and interpretation (see section 3.6, MD 15); and
- Interpretation upgrade at Leliyn as part of the proposed Leliyn Centre development. A theme of 'distinctive birds' is to be employed (see section 3.6, MD 16 and 43).

#### Management Directions

68. Jawoyn members of the Nitmiluk Board will be actively involved and consulted on key aspects of public education development and all Park information will have a strong cultural focus. Public contact with Indigenous Park operational staff and other Jawoyn Traditional Owners will be facilitated wherever possible. (*High*)

69. All Park information will be reviewed with assistance from stakeholders. An information plan will be developed and implemented for the Park. Options for tailored Park information for emerging tourism markets and innovative delivery of information will be considered. (*High*)

#### Performance Measures

- Jawoyn members of the Nitmiluk Board are satisfied with cultural content of all Park information.

### 3.10 Visitor Monitoring

Visitor monitoring is essential in improving knowledge and understanding of visitor behaviour, it helps improve Park management and it is a requisite for conserving values of the Park.

Data on visitor numbers is collected by calibrated counters. The Department of Infrastructure collects information on vehicle numbers through a traffic counter located on Gorge Road. The Parks and Wildlife Commission also maintains a traffic counter on Edith Falls Road and a walking track counter along the Southern Walks track. Traffic counters become faulty from time to time, resulting in imprecise visitor figures. The Parks and Wildlife Commission is reviewing visitor monitoring for all Parks, the results of which will help address inaccurate visitor numbers for high profile Parks.

The Parks and Wildlife Commission will maintain traffic counters and regular visitor surveys will be undertaken.

#### Management Directions

70. The Parks and Wildlife Commission will collect visits data from traffic counters and carry out visitor surveys approximately every three years in accordance with the revised Parks and Wildlife Commission Visitor Monitoring Program. (*High*)

#### Performance Measures

- Visitor data up-to-date and available to the community.

### 3.11 Waste and Wastewater Management

Nitmiluk Tours provide rubbish bins for visitor use at the Nitmiluk Visitor Centre, the Nitmiluk Caravan Park and pool area, and at the Nitmiluk Canoe Shed when open. The Leliyn campground operator maintains bins at the Edith Falls Kiosk. The Parks and Wildlife Commission do not maintain any rubbish bins for visitor use within the Park. Rubbish generated by commercial business and staff at Nitmiluk Gorge is placed in skip bins serviced by a contractor. Leliyn rubbish

## Nitmiluk National Park Plan of Management

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is currently disposed of in an on-Park landfill dump, however a rubbish collection service will be contracted early in the life of this Plan.

The issue of waste disposal in Parks and Reserves in the Northern Territory is an ongoing concern and will be addressed through the development of a *Waste Management Policy* which is identified for preparation by the Parks and Wildlife Commission. Once prepared, the Nitmiluk Board will determine whether it should apply to the Park.

Wastewater systems for the Park associated with staff housing and high use visitor areas include a large waste stabilisation pond system at Nitmiluk Gorge and a small sewage treatment plant at Leliyn. Both wastewater systems are maintained in accordance with relevant legislation and are managed by the Parks and Wildlife Commission through the Department of Infrastructure.

### Management Directions

71. Prepare and implement the *Waste Management Policy* with the approval of the Nitmiluk Board. (*High*)
72. Tender for a contractor to perform a rubbish collection service for waste generated by business and staff. (*Ongoing*)



Interpretative signage at the first  
/ second Gorge crossover



## 4. Management of Cultural Values

### Objectives for the Park

- Protecting significant sites and Indigenous Cultural and Intellectual Property.
- Jawoyn Traditional Owners able to fulfil their cultural responsibilities.
- Continuing to include Indigenous knowledge, skills and interests into management programs for the Park.

Nitmiluk National Park is a cultural landscape. For Jawoyn Traditional Owners their land is full of spiritual significance and is an important part of cultural identity. Their affiliation with the land involves a combination of traditional rights, benefits, obligations and responsibilities. The Park is and always will be a place where Puwurr will be maintained through ceremony.

*'Ceremony is about looking after the land. Looking after sites. It also teaches you how to be a stronger person' - Jawoyn Traditional Owner*

The Park contains many places of spiritual significance. Some of these are also archaeological sites which indicate a long history of Indigenous occupation. Art sites are one type of cultural asset that represent an important interpretive medium for Park visitors. A number of art sites may be viewed by visitors (see Map 3, Inset 2).



West gallery of the first / second Gorge crossover

The Park includes an historical heritage that is shared by its original inhabitants and new-comers. Early decades of exploration, pastoralism and mining were marked by both conflict and co-operation, and a few physical reminders still exist within the Park.

### Indigenous Cultural Values

The Indigenous cultural values of the Park are of outstanding regional and national significance and must be preserved. Puwurr encompasses all aspects of life. It is the land (its gorges, trees, rocks and rivers) and it is the people and all living creatures. It is the past, the present and the future. Under the Law from Puwurr, the Jawoyn Traditional Owners are responsible for country and are obliged to maintain and protect it. Jawoyn Law was given in the time of Puwurr and it is through this Law the Jawoyn Traditional Owners have, since the arrival of new-comers, been able to keep their traditions alive and care for country. Puwurr is as significant today to Jawoyn Traditional Owners as it always has been. Under the Nitmiluk Act the rights of the Jawoyn Traditional Owners are and will continue to be maintained.

### Dreaming Stories of Nitmiluk National Park

Dreaming figures travelled across our country. The names we use for places often come from the activities of beings from the Dreaming, many of whom are regarded as having been human beings. Many places can

be seen in Nitmiluk National Park. For example, Barraya the kookaburra emerged at Barraya, in what is today known as the second gorge. Upstream from Nitmiluk Gorge, Barrakbarrak female and male ducks collided with two cliffs at a notable spur on the river and submerged on either side, leaving their name. The series of hills along the road close up to Nitmiluk Gorge is named Bemang, the frilled-neck lizard, who came from Rembarrnga tribal country and then travelled up towards Pine Creek. At Wun-gurri, the divided river represents Gurri, the female blue tongue lizard.

Most of the Dreaming places are not dangerous, but some may have to be approached with care, or not disturbed at all. Some areas can only be visited by initiated men. There are also dangerous women's sites that must be avoided except by those allowed access under ceremonial Law.

#### ***Story one – Bolung, The Rainbow Serpent***

Bolung, who is believed to inhabit the deep green pools found in the second gorge, is not only an important life giving figure but may also act as a destroyer. This can take the form of lightning and may bring monsoonal floods.

Our people do not fish in the pools where Bolung sits. When fishing close to these pools, we can take only a small portion of the fish caught and throw back the rest in order to appease Bolung for the fish taken. Drinking water must not be taken from these deep pools, but rather from shallow associated pools. Pregnant women and new initiates may not swim in the Katherine River for fear of disturbing Bolung.

Unlike other Jawoyn Traditional Owner Dreamings which may be addressed, for assistance in hunting and foraging such as Barraya, the kookaburra, Bolung must not be spoken to and must be left undisturbed. Jawoyn Law also indicates the proper way to look after country. At Wun-gurri, Jawoyn Traditional Owners are obliged to clear the site of debris and purify it by burning 'ironwood' leaves (*Erythrophleum chlorostachys*, 'marukal'). At Jurrangluk, a small monolith representing the head of the Jurrang (taipan) must be rubbed with sweat from armpits. Care must be taken to call the name of Jurrang and to touch it gently otherwise a plague of taipans may result.

#### ***Story two – Pula, The Creator***

It was in the time of Puwurr that Pula came from saltwater country of the north. With his two wives, the Ngalenjelenje, he hunted across the land and in doing so transformed the landscape through his actions. Pula left his image as paintings in rock shelters. Pula finally went under the ground at a number of locations north of Katherine in an area known as 'Sickness Country'. It is called this because the area is very dangerous and should not be disturbed for fear that earthquakes and fire will destroy the world. We regard Pula as the most important figure in our Dreaming.

#### ***Story three - Nabilil***

Many places in our country were named by Nabilil, a dragon-like figure who came from the west near Wadeye (Port Keats). He travelled carrying water and firesticks in a dilly bag under his arm. He passed through Garrakla - the limestone formations either side of the Stuart Highway north of Katherine; and then on to Wurliwurliynjang, a mosquito Dreaming place near the site of Kalano and the Katherine Council offices.

He was travelling through country that was very dry and as he passed through the Blue Tongue Lizard Dreaming places at Yerreljirriyn and Wun-garri all the birds tried to catch him to get the water he carried. Lumbuk, the pigeon, Wakwak the crow and Garrkayn the brown hawk, all tried but failed as Nabilil was too clever for them.

He then came and camped at the entrance to the Katherine Gorge where he heard the song of the cicada (Nitmi in Jawoyn Traditional Owner language) and called this place Nitmiluk. After travelling up Nitmiluk Gorge, Nabilil finally came to a camp on Snowdrop Creek called Biritjimbimulk. Here Walarrk, the cave bat, hid himself in leaves so Nabilil couldn't see him. Walarrk killed Nabilil with a stone tipped spear. When that happened all the water came out, filling the streams and the Katherine River, where it flows to this day. The birds, happy now that they could drink, also discovered Nabilil's firesticks growing along the water edge so they could also make fire to cook with.

#### ***Story four – Nakorrkko***

Other figures from the Dreaming also travelled across the landscape, leaving a record of their exploits. Principal among those was Nakorrkko, a very tall spiritual being who came from the saltwater in the north

and walked along the upper Fergusson River and through what is today called Eva Valley, to the east of Nitmiluk National Park.

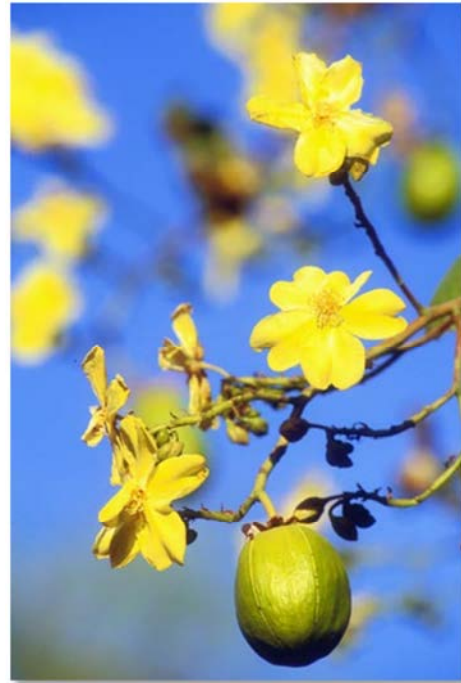
Nakorrrkko taught Jawoyn Traditional Owners much about proper behaviour and correct marriage relationships. It was through Nakorrrkko that people belong to either Yirritja or Dua groups – called moieties by non-Indigenous writers. Both Dua and Yirritja people are each subdivided into four subsections, with a male and female version of each. Nakorrrkko also gave us the Law about Mowurrwurr, or clan groups, and showed us what foods different Mowurrwurr could or could not eat.

## 4.1 Continuing Use and Ceremony

Caring for country includes traditional use of resources and conducting ceremonies on country. This is a core right and responsibility for Jawoyn Traditional Owners and it maintains culture, skills and knowledge of country and wildlife. Traditional skills and knowledge are also an important part of the management partnership as they often complement modern conservation management ideas and practices. Under the Nitmiluk Act and the Lease the Jawoyn Traditional Owners have the right to hunt wildlife and gather bush foods, other than for the purposes of sale. They also have the right to use any area of the Park for ceremonial and religious purposes. The Nitmiluk Board can limit these rights if an activity is considered dangerous to the public or a threat to endangered species or habitats. The Jawoyn Traditional Owners have agreed not to exercise their rights to hunt and forage where visitor safety and enjoyment of the Park may be compromised. Ceremonial activity may occasionally require temporary closure of small sections of the Park with visitors requested to speak quietly when moving through particular locations. However Jawoyn Traditional Owners have agreed any temporary closures will not unduly affect visitor access to primary visitor areas. Traditional use and ceremony has never conflicted with access to the Parks visitor areas.

Many Jawoyn Traditional Owners live very near the Park and actively participate in hunting native and feral animals, fishing, foraging and harvesting of materials such as wood for didgeridoos and fibre for woven baskets.

***'Getting on country is really important. Show young ones bushtucker, tell them story. The men teach boys roles and responsibilities. Same as for women to girls. Teach the proper way to act'*** - Jawoyn Traditional Owner



Yellow kapok (Jawoyn *pamjon*) flowers indicate crocodiles and turtles are carrying eggs

### Management Directions

73. Protect the exercising of traditional rights whilst managing possible adverse effects of activities on visitor safety or ecosystems. Monitor any harvesting of material or bush foods to ensure it is sustainable. Park operational staff will report to the Nitmiluk Board if plants are being over-harvested. (Low)

### Performance Measures

- The Nitmiluk Board is satisfied that collection of traditional materials is not adversely affecting the Park's biodiversity.

## 4.2 Indigenous Knowledge

*'All our country is a resource. It fed us, sheltered us, kept us warm with fire...It was medicine. Plants were used for anything and everything'* - Jawoyn Traditional Owner

Jawoyn Traditional Owners have detailed knowledge of the land and its wildlife. They and their ancestors live literally within the landscape, reading the seasons, carefully managing and using the resources of the land to survive. They know the stories of creation and how the land and its people came to be. Older Jawoyn Traditional Owners were told stories by their elders of earlier times and contact between Jawoyn Traditional Owners and new settlers. This information about their lives, connections to Nitmiluk National Park and surrounding areas, and traditional knowledge of the land is very important. The future of the culture depends on this knowledge being passed on to future generations. Modern science and land managers can also learn much from traditional knowledge.

A significant amount of research on Jawoyn culture has been undertaken. This includes studies of land ownership and connection to country, archaeological and anthropological studies, recording of oral histories and Indigenous ecological knowledge projects. The Nitmiluk Board supports the establishment and maintenance of an actively-held body of cultural knowledge.

### Management Directions

74. Traditional Owners will maintain ownership and control of their Indigenous Cultural and Intellectual Property. A Cultural Heritage Management Plan will be developed which may include how cultural knowledge is recorded, stored and used. (*Ongoing*)
75. Continue to include Indigenous ecological knowledge and practice into land management programs as appropriate. (*Ongoing*)

## 4.3 Places of Cultural Significance

### Sacred Sites

*'You can't humbug sacred sites. It's no good. You get sick. We try to keep that place safe. It's my job (as an Elder) to make sure it safe'* - Jawoyn Traditional Owner

Places within the Park of special cultural significance may be associated with Jawoyn Law and the creation time of Puwurr. Special sites include traditional ceremonial, camping and burial sites. Sites of cultural significance within the Northern Territory are protected by legislation (see section 6.4). At the time of writing there were three sites within the Park registered under the *Northern Territory Aboriginal Sacred Sites Act* and 43 sites recorded by the Aboriginal Areas Protection Authority (AAPA).

### Archaeological Sites & Objects

Rock art and archaeological materials such as flaked and ground stone artefact scatters, stone structures, quarries and occupation deposits in shelters and caves indicate a long history of traditional use and occupation of the land by Jawoyn People. These resources are highly significant to Jawoyn Traditional Owners and they have a high cultural value in the broader context. Aboriginal Archaeological Places and Objects within the Northern Territory are protected by legislation (see section 6.4).

In 1990, the Northern Territory Museum began documenting Indigenous art sites in the Park. The Parks and Wildlife Commission have continued this work as funding opportunities have become available. Over 400 art sites have been recorded in the Park. A number of sites of

significance and / or sites prone to damage have been the subject of protective work. Some of these sites are located in highly visited areas of the Park and have been protected from visitor impact and interpreted so that visitors can appreciate their cultural significance.

#### Management Directions

76. The Nitmiluk Board will seek the assistance of the Heritage Branch of the Department of Lands, Planning and Environment to develop and implement a Cultural Heritage Management Plan (where appropriate as per Parks and Wildlife Commission policy), providing for Traditional Owner cultural interests, and historic / archaeological site assessment and conservation. Specialist groups such as the AAPA will be consulted on best practice information recording and management procedures. The Nitmiluk Board will work together to identify supporting resources for projects as required. *(Moderate)*
77. All cultural related requests will be considered by the Nitmiluk Board in conjunction with the Parks and Wildlife Commission; including developments, access to zones outside of visitor areas, mining etc. The Nitmiluk Board in consultation with Jawoyn Traditional Owners will nominate a person or clan to visit sites and consider approval for access. *(Ongoing)*
78. The Nitmiluk Board will define protocols for Park operational staff, researchers and visitors to observe when given permission to access culturally sensitive areas of the Park. The Parks and Wildlife Commission will manage these protocols as directed by the Nitmiluk Board. *(Ongoing)*

#### Performance Measures

- Nitmiluk Board members and the Jawoyn Association are satisfied cultural sites are intact and respected.
- A Cultural Heritage Management Plan developed and implemented. The Nitmiluk Board is satisfied with the plans implementation, including rock art management program.

#### Historic Sites

Several events of local historical interest have occurred within the Park, however no sites are accessible to visitors. Tree blazes made by early explorers including John McDouall Stuart are located within the Park. Remnants of a World War II alien (Italian) internment camp, station yards and an Indigenous mission are located in the Park's south-east, as are old access tracks and workings from small scale mining. Some remnants of a 1950's Cypress pine sawmill also remains on the Marrawal Plateau (Buckerfield, 2010).

#### Management Directions

79. Research will be encouraged to provide additional documentation of historical sites within the Park. *(Ongoing)*



## 5. Management of Natural Values

### Objectives for the Park

- Protecting and maintaining the natural values of national and international significance including sandstone and open woodland communities, plant and animal diversity and significant species such as the Gouldian finch and Leichhardt's grasshopper.
- Managing threatening processes to reduce their impact on the Park's biodiversity.

Nitmiluk National Park protects a diversity of landscapes of international and national conservation significance, including part of the most species-rich landscape in the Northern Territory. The Park's catchments and waterways are in good condition and biological diversity is still largely intact. The Park's distinctive plant communities, such as the sandstone shrublands, contain many species of rare or limited distribution. Frequent fires, particularly extensive fires late in the Dry season, pose the greatest threat to the Park's natural values. To effectively protect the land and its biodiversity, management must work to reduce the impact of weeds and feral animals and manage fire and visitors appropriately.

Nitmiluk National Park is ranked a Class 1 park for biodiversity under the Parks and Wildlife Commission's Management Effectiveness Framework. All parks across the Parks and Wildlife Commission estate are ranked from Class 1 to Class 4 with Class 1 being the highest ranking (see section 6.1).

### National / International Significant Conservation Area

Two areas in Nitmiluk National Park are recognised as Northern Territory Sites of Conservation Significance (Harrison *et al.* 2009) due to their biodiversity values (see Map 2). Recognition of these sites imposes no additional regulatory or legislative requirements over the land.

#### *Western Arnhem Plateau (international-significance)*

Nitmiluk National Park protects 8% of the *Western Arnhem Plateau Site of Conservation Significance*, which includes over 80% of the Park. The geology, topography and biodiversity of the sandstone plateau is so distinctively different from the surrounding lowlands that it is recognised as a separate bioregion, the Arnhem Plateau Bioregion. The Arnhem Land plateau is topographically complex, including sheer escarpments, deep narrow gorges and spectacular waterfalls. With its high number of endemic species, unusually high number of threatened species and many plants and animals of outstanding biogeographic and scientific interest, the plateau is considered the most significant region in the Northern Territory for biodiversity.

#### *Yinberrie Hills (national-significance)*

The Park protects 8% of the *Yinberrie Hills Site of Conservation Significance*. The Site includes several small sections of the Park along the western boundary. Yinberrie is an area of rolling hills with grassy open woodland communities, along with a combination of additional habitats that are uncommon in the broader landscape. The annual and perennial native grasses, enduring rocky pools of water and smooth-barked gums with nesting hollows make this ideal habitat for the endangered Gouldian finch along with seven other threatened species.



### Threatened Ecological Communities

In November 2011, the “Arnhem Plateau Sandstone Shrubland Complex” was listed as an Endangered ecological community under the Commonwealth Government’s *Environment Protection and Biodiversity Conservation Act* (EPBC Act). This vegetation type occurs on the dissected sandstone outcrops of the western Arnhem Land plateau, including part of Nitmiluk National Park. The shrubland complex is characterised by a diverse mid-layer of medium to tall evergreen shrubs, as well as a diverse ground layer of low shrubs, herbs and grasses. It contains a large number of species that are not found anywhere else, as well as a number of threatened plant and animal species. This ecological community has been listed as endangered based on evidence of severe decline of important species and fragmentation within an already restricted distribution. The principal threat to the shrubland complex is inappropriate fire regimes, particularly frequent, extensive, relatively intense late Dry season fires.

Listing of the Arnhem Plateau Sandstone Shrubland Complex under the EPBC Act means that major new activity that is likely to have a significant impact on the community will need to be referred to the Commonwealth for environmental assessment. Approval for new activity will also require approval under the Nitmiluk Act. This does not apply to normal management and maintenance activities within National Parks, or traditional Indigenous activities such as harvesting bush foods or managing appropriate fire regimes.

## 5.1 Water Resources

Water-dependent ecosystems, including monsoon forests, riverine and wetland habitats, are shaped and maintained by water movement and provide important habitat for wildlife. Seventeen Mile Creek, Katherine, Ferguson, Edith and King Rivers are major watercourses rising in the Arnhem Land plateau which drain westward through Nitmiluk National Park and ultimately to the Daly River. The upper catchments of these rivers are relatively free from unnatural disturbance and are in good condition.



Nitmiluk Gorge in flood

Massive rainfall in the Park’s catchment can result in flooding of the Park’s main visitor areas. In 1998 and 2006 at Nitmiluk Gorge and in 2011 at Leliyn, the Park’s intensively used areas were inundated, causing substantial damage to Park infrastructure. The Water Resources Branch of the Department of Land Resource Management maintains water level recording stations in the Park as an early warning system for flooding downstream in the township of Katherine.

Water is a valuable, fragile resource which is under increasing demand. To protect local rivers and groundwater reserves, water use is managed under the *Water Act (NT)*. Water extraction for commercial use within the Park is subject to a water licence with a maximum withdrawal limit. At the time of this Plans preparation the Park has a 90ML commercial water extraction licence which is pending renewal. The Park has been using up to 75% of this licence entitlement. If water use increases to the full licence limit then any requests for an increase in the licence will need to be assessed by the Water Resources Branch and will not necessarily be granted. Preliminary reviews of Katherine River flows and all water extraction licences, both current and

pending, have indicated that the river may already be close to full water licence allocation.

A state-of-the-art water treatment plant, installed at Nitmiluk Gorge by the Territory Government, services Nitmiluk Gorge visitor and staff areas as well as the Jodetluk community. Leliyn's water is drawn from a bore. Since the 2011 flood Leliyn's existing supply has become unreliable. There have been several instances of the water running out when the campground has been at full capacity. There have also been issues with water quality deteriorating after periods of high usage. Reconditioning the bore has not alleviated the issue. The Nitmiluk Board is aware of the high cost of treating extracted water as well as the need to abide by water extraction licence limits and will carefully consider future water requirements when planning development on Park. Water is fundamental to the Park's recreational value and the Board acknowledges that water needs to be properly cared for.

#### Management Directions

80. Use all ground and surface water within the Park sustainably to maintain the health of Northern Territory waterways. This includes recording and submitting water meter readings to the Water Resources Branch every month; irrigating in the evenings or early mornings; and, using water efficient toilets, showerheads and washing machines. (*High*)
81. The Parks and Wildlife Commission will investigate applying for a water extraction licence from the Edith River for use at Leliyn. (*High*)

## 5.2 Flora

There are 137 plant families recorded in the Park and a total of about 1,400 plant species, 19 of which are endemic (restricted to the Park) and 58 of which are not recorded in any other Northern Territory Park. There are three Vulnerable plant species recorded for the Park (see Table 4) and 92 species which are considered Near Threatened or Data Deficient (Michelle *et al.* 2004).

The Park protects five broad habitat types: sandstone shrubland country; monsoon rainforest patches; rivers and wetlands; woodlands; and forests.

The Park's sandstone shrubland country contains many plant species that are endemic to the



Small gorges in the sandstone provide a refuge for monsoon rainforest

Western Arnhem Land plateau as well as rare and poorly known species. The distinctive shrubland complex plant communities present within the stone country are listed as nationally threatened.

Small monsoon rainforest patches flourish in gorges of the sandstone, usually where protected from fire and associated with springs or soaks. Such sites are refuges for wildlife in a seasonally dry environment.

River systems, springs and seasonal swamps are a major, distinctive feature of Nitmiluk National Park vegetation (Michelle *et al.* 2004). Wetlands support high numbers of plants and animals,

including aquatic life, many of which are endemic. Nitmiluk (Katherine River) Gorge is listed as a wetland of national significance (type B – inland wetland) in the Directory of Important Wetlands in Australia (Environment Australia 2001).

Woodlands cover much of the lowlands of the Top End and host many different species. Open Forests are usually on high, level ridges with deep, sandy soil. The trees in this landscape grow taller and closer together than in the Open Woodlands.

#### Management Directions

82. The Park's floral diversity will be protected through threat abatement programs integrated into annual operational action plans (see section 5.5). (High)

#### Performance Measures

- Stable or increasing trends for selected high priority and / or threatened species.

## 5.3 Fauna

A total of 391 native vertebrate species have been recorded within the Park, comprising 206 birds, 44 mammals, 78 reptiles, 25 amphibians and 38 fish. 11 are threatened or near threatened species, including 1 listed as Critically Endangered and 8 as Vulnerable. Table 4 outlines species listed as threatened or near threatened under the Commonwealth EPBC Act and / or the Northern Territory TPWC Act. A recent possible observation of the endangered Arnhem Land *Egernia* (a large skink) requires confirmation.

Birdlife Australia has recognised the Arnhem Land plateau and Yinberrie Hills as *Important Bird Areas* (Birddata 2012). The Endangered (EPBC Act) Gouldian finch (*Jawoyn ngalmaykorlo*) occurs within the Park and warrants special management consideration. Species decline is attributed to understorey vegetation change due to feral grazing animals and extensive late Dry season fires. The finch benefits by protection of its woodland habitat from hot or frequent fires, safeguarding Wet season feeding grounds (O'Malley 2006).



A Gouldian finch collected and released during a Park bird survey

Animal species associated with the sandstone shrublands are also vulnerable to the impacts of frequent hot fires which degrade their habitat. Feral animals and weeds are potential threats to native species associated with wetlands, riparian areas and monsoon rainforests.

The Park protects Leichhardt's grasshopper, a distinctive species found in small, isolated populations in a few Top End sites. Each grasshopper will only live and feed on a single *Pityrodia* plant throughout its life, and each population is extremely vulnerable to fire (Wilson *et al.* 2003).

**Table 4.** Species of conservation significance found in Nitmiluk National Park

Scientific Name	Common Name	Jawoyn TO Name	NT Conservation Status	Australian Conservation Status
<i>Amytornis woodwardi</i>	white-throated grass-wren	<i>nyirnyirr</i>	VU	-
<i>Ardeotis australis</i>	Australian bustard	<i>penuk</i>	NT	-
<i>Boronia tolerans</i>	-	-	NT	-
<i>Dromaius novaehollandiae</i>	emu	<i>turrk</i>	NT	-
<i>Eleocharis retroflexa</i>	-	-	DD	VU
<i>Erythrotriorchis radiatus</i>	red goshawk	-	VU	VU
<i>Erythrura gouldiae</i>	Gouldian finch	<i>ngalmaykorlo</i>	VU	EN
<i>Falcunculus (frontatus) whitei</i>	northern (crested) shrike-tit	-	VU	VU
<i>Geophaps smithii smithii</i>	partridge pigeon	<i>lumpuk</i>	VU	VU
<i>Tyto novaehollandiae kimberli</i>	masked owl	<i>yirramparn</i>	VU	VU
<i>Dasyurus hallucatus</i>	northern quoll	<i>jappo</i>	CR	EN
<i>Utricularia singeriana</i>	-	-	VU	-
<i>Varanus mertensi</i>	Mertens water monitor	<i>jujja</i>	VU	-
<i>Varanus panoptes</i>	yellow-spotted monitor	<i>talak</i>	VU	-

CR – Critically Endangered; EN – Endangered; VU – Vulnerable; NT – Near Threatened; DD – Data Deficient

### Management Directions

83. The Park's faunal diversity will be protected through threat abatement programs integrated into annual operational action plans (see section 5.5). (*High*)

### Performance Measures

- Stable or increasing trends for selected high priority and / or threatened species.

## 5.4 Biological Research and Monitoring

Continual improvement in Park management depends on developing knowledge of natural resources and understanding changes taking place over time. Scientific research has been undertaken within the Park however there is still more that can be learned about the natural resources and how these resources are affected by human activities.

As a Class 1 park for biodiversity (see section 6.1), Nitmiluk National Park has been identified as requiring a 5 to 10 year Integrated Conservation Strategy (ICS) to be compiled by Park operational staff, Jawoyn Traditional Owners, Planners, experts and stakeholders. The ICS will set well-defined objectives and measurable targets for the most important values and threats to the Park and will give a clear understanding as to the conservation successes of the Park. The ICS comprises an adaptive management approach which involves regular evaluation of results and subsequent adjustment of actions so that management of the Park is at an optimum. Results of



An adult Leichhardt's grasshopper found during surveys

the Park's ICS will feed into the Management Effectiveness Framework biennial performance review.

*'It's good to know what they're finding out, and that they're trying to help us look after country by telling us how best to preserve the plants, rock art, animals, even the ozone layer' - Jawoyn Traditional Owner*

All research projects are subject to approval by the Nitmiluk Board. Targeted projects which improve management and have minimal impact on Park values are encouraged. Activities associated with research, such as interfering with wildlife and taking, interfering or keeping protected wildlife requires a permit issued under the TPWC Act or By-laws (see section 6.4).

The Nitmiluk Board requests acknowledgement and may request return of information and research results in a plain English summary. Jawoyn Traditional Owner knowledge may contribute to research projects and they may wish to participate in research and survey projects, provided their cultural and intellectual property rights are protected. It is important for Jawoyn Traditional Owners to be consulted and invited to participate in research projects and, where possible, employed in related activities.

Fauna surveys of 46 permanent fire monitoring plots in the Park are carried out every five years as part of the 'Three Park Fire Monitoring Program' (see section 5.5). These surveys provide invaluable information on how fire is affecting the Park and whether the Park's biodiversity is improving, staying the same or declining.

Some fauna programs are recommended for continuation within the Park over the next 10 years. The programs are listed in priority order from highest to lowest priority.

- Regular monitoring of the Nitmiluk Gorge and Seventeen Mile Creek freshwater crocodile populations, including nesting sites. Results of the program inform, among other things, the effects of regular dinner boat tours on the local population.
- Annual Gouldian finch population and habitat monitoring.
- Leichhardt's grasshopper and host plant *Pityrodia sp* surveys.
- Targeted surveys for poorly documented threatened species such as the Arnhem Land *egernia* and white-throated grasswren.
- Incidental fauna observations by Park operational staff, expanding the NT Fauna Observations database.

### Management Directions

84. Early in the life of this Plan, a planning team comprised of the park manager, Jawoyn Traditional Owners, scientists, stakeholders and a planner will prepare an Integrated Conservation Strategy for the Park. *(High)*

85. Annually review internal research programs. External research projects may require Jawoyn Traditional Owner involvement. (*Ongoing*)
86. Carry out fauna surveys of fire monitoring plots every five years (as per the Three Park's Fire Monitoring Program). Undertake annual photo-point monitoring and fire scar mapping. (*High*)
87. Conduct freshwater crocodile monitoring as part of the estuarine (saltwater) crocodile monitoring program (see section 3.8). (*Moderate*)
88. Gouldian finch sites monitored in the Yinberrie Hills, adjacent to the Park. (*Moderate*)
89. Leichhardt's grasshopper sites resurveyed using established methods (Villiers 2007) to determine the current status of the grasshopper. Resurvey to assess and adapt fire management practices. (*Moderate*)
90. In conjunction with the Flora & Fauna Branch, establish targeted surveys for poorly documented threatened species. (*Moderate*)
91. Record all incidental fauna observations at <http://ntfaunaobs.nt.gov.au> to expand the NT Fauna Observations database. (*Low*)

## 5.5 Managing Threatening Processes

***'Look at how our ancestors looked after country. That will tell us why there were plants and animals then and not now. Fire management then was spot on. We must learn how to look after special places like that'*** - Jawoyn Traditional Owner

Major threats to the Park's biodiversity are invasion of weeds and the spread of feral animals, however the greatest threat to the Park's natural values is frequent, high intensity late Dry season wildfires. Limited resources have resulted in a targeted approach to the management of these threatening processes.

Nitmiluk National Park is one of the most visited parks in the Parks and Wildlife Commission estate. As a result threatening processes need to be managed not only to protect the Park's natural values but also to protect visitor safety and enjoyment. Currently management for visitor safety and protection of infrastructure takes precedence over managing for biodiversity.

### Fire

The Australian landscape, its people and fire have a relationship dating back tens of thousands of years. Fire (Jawoyn *wurrk*) was first used to shape the environment through the hands of Indigenous people, with fire a tool in managing habitat, in hunting and for socio-religious purposes. Jawoyn Traditional Owners retain much knowledge of traditional use of fire. The pattern of fire use and management has changed over recent years, to the detriment of some habitats. Land managers undertake burning from the air and by vehicle to simulate traditional patchwork burning. Despite these efforts there has been a significant shift toward frequent and intense landscape-scale fires, which indicates not enough burning is completed early in the year. This can be attributed to the management planning and resourcing levels of the past ten to fifteen years.

***'Burning late is no good. Damaging our land, plants, animals, maybe even sacred sites. There's a right time to burn so when season comes the bushtucker comes at the right time'*** - Jawoyn Traditional Owner

Large, intense fires are a major threat to Park values and public safety. Fire management is carried out on the Park:

- For Strong and healthy culture;
- To maintain public safety;
- To protect property / park infrastructure; and
- To protect biodiversity.

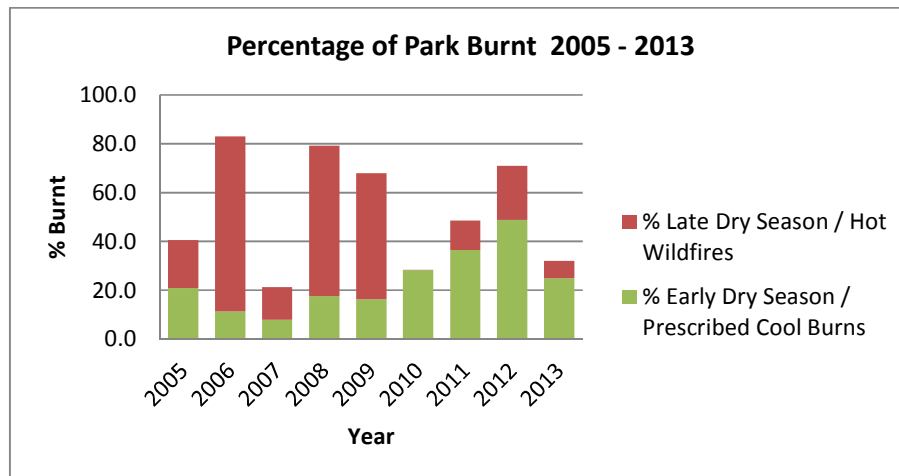


Fire is both a useful management tool and a destructive force

Park operational staff prepare to burn at the end of the Wet season and early Dry season to protect key assets, significant habitats, infrastructure and the Park boundaries. Not all required areas in the Park can be burnt in the early part of the year when fires are cool. This leaves large tracts of Park land unprotected from wildfire.

Frequent uncontrolled fire is the greatest threat to Nitmiluk National Park’s biodiversity. The Park contains many fire-sensitive species and habitats including the sandstone shrubland, monsoon forests, lancewood and *Callitris* forests. These species and habitats have generally been declining under recent fire regimes. Fire history from 2005 to 2009 indicate that too much of the Park was burnt and too frequently. On average, 59% of the Park was burnt annually over the five year period. An average of 44% of the Park was burnt as a result of wildfires and back burning to control these wildfires. 2006 and 2008 were the worst fire seasons on record with over 60% of the Park burning in the late Dry season (see table 5). If this trend were to continue, much of the Park’s biodiversity would be threatened. 2010 to 2013 have seen vast improvements in Park burning figures with an average of just 45% of the Park burnt annually and 11% of this burning occurring in the late Dry season.

**Table 5.** Percentage of the Park burnt in the early and late Dry seasons from 2005 to 2013



Nitmiluk National Park is part of a ‘Three Park Fire Monitoring Program’ along with Kakadu and Litchfield National Parks. Nitmiluk National Park’s monitoring program comprises 46 permanent monitoring plots located across a variety of landform and vegetation types / habitat conditions within the Park (Russell-Smith *et al.* 2002). The monitoring program involves two elements, annual satellite-based mapping of fire events and five yearly on-ground assessments of changes

in biota. The program enables greater understanding of trends in wildfire and change in the landscape, in conjunction with other threatening processes. The program has led to the development of a sandstone country burning plan to better protect the sandstone shrublands. The next intensive, on-ground monitoring of fire plots will occur in early 2015 (see section 5.4, MD 86).

Opportunities may be available for developing a greenhouse gas emissions reduction program for the Park, as is currently implemented on Jawoyn lands as part of the Western Arnhem Land Fire Abatement (WALFA) project. Investigating the potential for an emissions reduction program for the Park is a priority.

The prevention and control of wildfire requires close collaboration with neighbouring landholders over many years. Informal fire agreements between the Jawoyn Rangers and Nitmiluk and Kakadu National Parks are arranged through annual planning meetings. Cooperation on some fire activities occurs, such as placement of strategic firebreaks in the early Dry season, and pooling of resources when late Dry season wildfires threaten Park or Land Trust areas. Transfer of skills and knowledge between Park and Jawoyn Rangers is actively encouraged by the Nitmiluk Board. In 2010 the Jawoyn Rangers participated in resurveying of fire monitoring plots. Joint programs planned for the future include resurveys of fire monitoring plots in 2015 and fire camps in the early Dry season where Park and Jawoyn Rangers will spend time burning country on foot and by quad bike and vehicles.

Park operational staff will prepare annual fire operational action plans with assistance from Bushfires NT. The plans will be based on a longer term fire management strategy. The key fire management goal is to substantially reduce the average area burnt annually, especially in the late Dry season, compared to recent years. Strategically increasing fire management in the cooler Dry season and finalising construction of north-south fire access trails will assist with attaining this goal. Increased involvement of Jawoyn Traditional Owners in fire management programs is an additional goal of the Nitmiluk Board.

#### Management Directions

92. Manage fire strategically through five year strategies and annual operational action plans based on results of the fire monitoring plot surveys. Develop strategies and plans in conjunction with the Jawoyn Association, Bushfires NT and neighbours. (*Ongoing*)  
Key areas of focus include:
  - \* pre-fire season planning and discussions with Jawoyn Traditional Owners, Kakadu and Bushfires NT;
  - \* implementing burnt buffers along roads and tracks, natural features such as watercourses and boundaries which historically have been the source of unwanted ignitions;
  - \* implementing patchy prescribed fires of low scorch height wherever practicable; and
  - \* end-of-year assessment and review.
93. Burn to have strong and healthy culture and to protect people, personal property, infrastructure and biodiversity assets from fire. (*High*)
94. Investigate opportunities for developing an ecologically and economically sustainable greenhouse gas emissions reduction program for the Park. (*High*)
95. Annually collaborate with neighbouring landholders including Kakadu National Park and the Jawoyn Rangers on fire planning. Regularly liaise with allocated contact people. (*High*)
96. Park operational staff to facilitate high level involvement of Jawoyn Traditional Owners in control burning and fire management on the Park and be guided by Jawoyn traditional methods as far as possible. (*Moderate*)
97. Finalise construction of fire trails from 17 Mile Falls to the Fergusson and Edith Rivers. (*Moderate*)



### Performance Measures

- Less than 40% of the Park burnt each year through implementation of an effective strategic early Dry season prescribed burning program.
- No loss or significant decline in fire sensitive ecosystems or populations of indicator species in the Park. Assessment achieved through fire monitoring plot surveys.
- The Nitmiluk Board is satisfied with fire management on the Park.
- Increasing involvement by Jawoyn Traditional Owners in Park fire management programs.

### Weeds

There are just over forty weed species recorded for the Park with the majority either isolated records or species not considered environmentally threatening. Several weed species represent a major threat to Park biodiversity values and if left unmanaged will significantly alter ecosystem structures. Most weeds requiring management attention are confined to riverine zones and disturbed areas and are spread by Wet season flooding and by people, vehicles and animals.

Weed control works on Park take into consideration weed risk (invasiveness, impacts on park values and potential distribution) as well as feasibility of control (control costs, current distribution and persistence). There are also legal obligations to control weeds declared under the *Weeds Management Act*. These criteria are used to direct operational programs. Eradication of some species over large areas is generally not feasible. Management is therefore focussed on eradication and control over select areas and of priority species.



A Ranger carrying out weed control

The two weed species of most significant threat to biodiversity values of the Park are:

1. Gamba grass (*Andropogon gayanus*)
2. Mission grass (*Cenchrus polystachios*)

Gamba and mission grasses dry out in the late Dry season, creating high fuel loads. Both species are highly flammable, burn with massive intensity, and have the ability to alter vegetation structures. Declared as Key Threatening Processes under the Commonwealth's EPBC Act, a Threat Abatement Plan was prepared in 2012 for five listed grass species in northern Australia, including gamba and mission grasses. At the time of this Plans preparation Gamba grass was categorised as a Class B/C weed within the Park under the Northern Territory *Weeds Management Act* which requires containment of existing infestations while eradicating any smaller and / or new infestations. Only a handful of gamba grass sites have been detected within the Park so it is important that these are aggressively controlled and sites regularly monitored. Mission grass is classed a Class B/C weed within the Northern Territory under the *Weeds Management Act*. The seeds of this weed are easily spread and the grass readily competes with native grasses and will quickly occupy disturbed areas. Mission grass is commonly found in visitor and other disturbed areas of the Park and must be controlled to

contain further spread.

Park operational staff will prepare annual weed operational action plans with assistance from the Department of Land Resource Management's Weed Management Branch. The plans will be based on a longer term weed management strategy. Park weed data will be regularly provided to the Weed Management Branch to contribute to strategic Northern Territory-scale weed planning.

Weed management effectiveness relies in part on control activities of neighbours. Partnering with Kakadu and the Jawoyn Rangers on weed management will occur on an increasingly regular basis, particularly in regards to highly invasive grass species.

### Management Directions

98. Manage weeds strategically by consulting with neighbours and through five year strategies and annual operational action plans developed with input from the Weed Management Branch. Regularly provide Park weed data to the Weed Management Branch. (*Ongoing*)

Key areas of focus include:

- \* targeting protection of high visitor use areas and key biodiversity locations, particularly rainforest patches, rivers, wetlands, woodlands and forest areas;
- \* strategically identifying areas where weed density is low and targeting these locations;
- \* identifying areas that have the potential to cause weed spread, such as four-wheel drive service tracks; and
- \* enforcing the use of weed-free, clean equipment when undertaking development on-Park.

99. Conduct ongoing surveillance and mapping for Class A weeds, particularly mimosa and chinee apple. If detected, control immediately. (*High*)

100. Strategically control statutory weeds including khaki weed, rubber bush, mission grass and sida to prevent their further spread into the Park. (*Moderate*)

### Performance Measures

- Reductions in the extent of existing priority weed species, particularly mission grass, and no new weed species infestations.

## Feral Animals

Feral animals can have a major impact on the natural values of the Park. They can erode fragile soils, spread weeds and exotic diseases, degrade swamps and other wetlands and reduce water quality and compete with native animals for food and habitat. There have been 10 exotic animal species recorded within the Park, including buffalo, feral horses, donkeys, cattle, pigs, dogs, cats, house mice, black rats and cane toads.

The complete eradication of all feral animals within the Park is not feasible as there are no long-term, cost-effective control methods for some species such as the cat and cane toad. Key species with the greatest impact on the Park include:



Buffalo damage the Park's many wetlands

1. Cats (*Felis catus*)
2. Buffalo (*Bubalis bubalis*)
3. Pigs (*Sus scrofa*)
4. Horses and Donkeys (*Equus caballus* and *E. asinus*)
5. Cattle (*Bos indicus*)

Effective long-term control of buffalo, pigs, horses, donkeys and cattle requires a strategic approach and ongoing commitment of resources. Culls are conducted twice a year with the first cull focused on walking tracks, reducing the possibility of visitor interaction with feral animals. The second cull occurs in the late Dry season when feral animals congregate at isolated waterholes. Aerial mustering of cattle is encouraged, under strict permit conditions.

Strategic fencing is a significant part of feral animal control. Some 66 km of fence line has been installed in the south-east and east of the Park. The western boundary has 13 km of fence line north and south of Edith Falls Road.

Nitmiluk and Kakadu National Park's coordinate aerial control programs. In future, annual joint planning meetings with Kakadu and the Jawoyn Rangers will take place to discuss aerial control, fencing and other threat abatement programs.

Feral cats and pigs have well established populations on the Park and are key threats to biodiversity. There are no effective, affordable broad-scale control options. Cage and fence trapping occurs for both species but is focused around visitor areas.

The cane toad reached the Park in late 2000 resulting in noticeable declines in some native species, particularly the northern quoll. No practical broad-scale control method is known for cane toads.

#### Management Directions

101. Manage feral animals strategically by consulting with the Jawoyn Association, neighbours and through five year strategies and annual operational action plans developed using Wildlife Branch and the Department of Land Resource Management's Flora & Fauna Branch standards. (*Ongoing*)
102. Focus feral control efforts on areas of high visitor use and key biodiversity sites, including sandstone shrubland country, rainforest patches, wetlands and along rivers. (*High*)
103. Undertake twice yearly aerial feral animal control with a focus on buffalo (highest priority species), pigs (medium) horses and donkeys (lowest). (*High*)
104. Undertake opportunistic trapping of pigs and cats and maintain existing fence-lines. (*Moderate*)

#### Performance Measures

- A reduction in the impact of feral animals on the Parks natural values.



## 6. Business Operations

### Objectives for the Park

- Achieving the Goals and Management Directions of this Plan with resources used effectively.
- Jawoyn Traditional Owners and the wider community benefiting economically from Nitmiluk National Park.
- A supportive community and positive interactions with those with an interest in the Park's management.
- An improved knowledge base for making decisions about the Park.
- The Park's public profile in-line with the values and purpose of the Park.

### 6.1 General Administration

Management of the Park is guided by a legislative and policy framework. For good management of the Park and the safety of people and property it is essential that laws are in place and properly enforced. Administration and management of Nitmiluk National Park is primarily governed by the Nitmiluk Act (see Appendix 1), the Lease (see Appendix 2), and parts of the TPWC Act, By-laws and Regulations.

The Parks and Wildlife Commission's function is to control and manage the Park on behalf of and subject to the direction of the Nitmiluk Board. The Parks and Wildlife Commission finance and resource the Park's recurring management programs including administrative, staffing, most infrastructure and some services. The Park is managed by operational staff based at Leliyn and Nitmiluk Gorge Ranger Stations. Ongoing Park operational staff training is important to maintain and develop competent and professional staff. Training in cross-cultural communication is a high priority.

Most of the current funding for managing and developing the Park is sourced through the Territory Government. Capital works and funded works programs are subject to Territory-wide government priorities. Park managers need to allocate funding across Park management and infrastructure requirements effectively. Park and agency-wide priorities, performance indicators, monitoring, evaluation and reporting are integrated into the management cycle. The Parks and Wildlife Commission and the Jawoyn Association support each other in sourcing additional funds for special projects that cannot be funded under the annual Park budget.

Effective use of resources hinges on integrated operational planning. All operational action plans have priority actions identified against available management resources. Operational action plans include visitors, cultural management, weeds, fire and feral animals, as well as research and monitoring. Annual fire, weed and feral animal operational action plans are based on long-term strategies of five years or more.

Annual funds are available through the 1993 Mt Todd Agreement. These funds are used to employ Jawoyn Traditional Owners for cultural advice and assistance in planning development and implementation of Park management programs such as fencing and walking track construction, or other purposes as determined by the Nitmiluk Board.

### Management Directions

105. Ensure compliance with the Nitmiluk Act, the Lease and the TPWC Act, including By-laws and Regulations, and other legislation where appropriate. (*Ongoing*)

106. Develop and review policies, guidelines and standard operating procedures. (*Ongoing*)
107. Professional standards and Park operational staff competencies will be supported by ongoing training in all aspects of park management with special emphasis on cross-cultural training run by Jawoyn Traditional Owners and other providers. (*Ongoing*)

### Management Effectiveness Framework

The Parks and Wildlife Commission Management Effectiveness Framework informs priority, setting resource allocation across the NT Parks and Reserves system. Part of the Framework establishes the relative importance of each park in the park system by assessing each park's contribution to biodiversity conservation, and to recreation and tourism. It does not compare cultural values across the park system. The Framework groups parks of similar importance and specifies general management standards to each group.

Nitmiluk National Park is both a Class 1 (most important) Biodiversity park and a Class 1 Visitor park. Class 1 parks for biodiversity value require management of the park to maintain and improve landscape condition and as a very high priority to manage threats at both landscape scale and specific conservation values. All Class 1 parks for biodiversity have been identified as requiring 5 to 10 year Integrated Conservation Strategies (see 5.4). Class 1 parks for recreational value require high quality and scale of facilities of superior design at key visitor sites for key experiences.

Class 1 parks are subject to biennial performance reviews that look at each aspect of the business cycle. Results of Integrated Conservation Strategies for Class 1 Biodiversity parks will feed into these performance reviews (see section 5.4). Every fifth year the condition of Class 1 park's key values will be directly assessed through surveys and then reported on in a State of the Park report which will be made public.

The success of management of Nitmiluk National Park will also be measured against the Performance Measures contained within this Plan. Evaluation of Performance Measures will be undertaken every two years as part of the Management Effectiveness Framework biennial performance review. Trends will be tracked and results compiled in a report for Parks and Wildlife Commission senior management and the Nitmiluk Board. This Plan of Management will also be reviewed by the Nitmiluk Board twice during the life of this Plan.

### Management Directions

108. The Nitmiluk Board will review this Plan after four and eight years with a report written by the Parks and Wildlife Commission on behalf of the Nitmiluk Board five years after this Plan's implementation. (*High*)
109. Park operational staff will complete a biennial performance review for the Park which will be provided to the Nitmiluk Board. Every fifth year a State of the Park Report will be produced reporting on the condition of key values and recommending adaptive changes to management if appropriate. This process may also contribute to State of the Environment Reporting. (*Ongoing*)

## 6.2 Community and Stakeholder Engagement

Key stakeholders have a keen interest in how the Park is managed and the future direction of the Park. The main stakeholders for Nitmiluk National Park are neighbours, the tourism industry and the community. Strong, positive relationships between stakeholders and the Nitmiluk Board are important and this can be achieved by having a plan in place for stakeholder communication.

## Neighbours

The majority of land surrounding the Park is Jawoyn owned, including the southern portion of Kakadu National Park to the north of Nitmiluk, Manyallaluk to the east and Jawoyn freehold land to the west and south. There are a small number of freehold parcels which border the Park in the southwest. Much of the surrounding Jawoyn land will become part of the planned Commonwealth Government funded Jawoyn Indigenous Protected Area (IPA). This will be an ideal opportunity for a partnership to be formed, allowing for consistent and cost-effective land management practices. When the IPA is established, it is likely that any agreement between the Nitmiluk Board, the Parks and Wildlife Commission and the Jawoyn Traditional Owners will be formalised.

Liaising with other neighbours to facilitate cooperative land management, including future development such as tourism ventures both on and off the Park, will continue to be a priority and Park operational staff will communicate regularly with neighbours.

## Tourism industry

Nitmiluk National Park is one of the most highly visited parks in the Northern Territory so it is important that tourism needs are considered in the management and future development of the Park. Tourism input into the Park was achieved by including Tourism NT as a partner in preparing this Plan of Management. This partnership will continue during the implementation of this Plan.

Communication with the wider tourism industry will be achieved through regular tourism stakeholder meetings and industry updates (see also section 3.1 and 3.6, MD 25).

## Community

As the main tourism destination within the Katherine Daly region, Nitmiluk National Park is a primary regional economic resource. The Katherine community is actively involved in the Park's management through a seat on the Nitmiluk Board. This position is held by a nominee of the Mayor of Katherine.

The Park is enjoyed by a wide variety of user groups and is an important part of the local community. Special interest groups enjoy the Park including bush walking and canoeing clubs, sporting event groups, such as the Chinese Dragon Boat Races and the Katherine Ultra Challenge,



Part of the annual Katherine Ultra Challenge is held at Nitmiluk Gorge (photo: Katherine Morrow)

bike riders (along Gorge Road), field naturalists, and school and religious groups. It is important that these groups are given opportunities to voice their interests and provide feedback about the Park.

An increasing number of people want to learn about the Park and the environment through active involvement and transforming experiences. There is the potential to provide voluntourism projects and programs, allowing both locals and visitors to become involved in programs within the Park, including, but not limited to: annual opening

of the Jatbula Trail and other walking tracks; flora and fauna surveys; and, monitoring and controlling weeds. The Nitmiluk Board will actively encourage volunteer activities.

The Parks and Wildlife Commission is committed to ensuring the whole community have a say in the development of the Park. The community has been encouraged to make submissions on the Plan of Management while the draft format was available for public comment.

#### Management Directions

110. Develop and implement a stakeholder communication plan early in the life of this Plan. (*High*)
111. Once the Jawoyn IPA is established, formalise any agreement between the Nitmiluk Board, the Parks and Wildlife Commission and the Jawoyn Traditional Owners in writing. (*High*)
112. Communicate with neighbours on a regular basis and commence neighbour negotiations regarding development of compatible land uses and management practices with adjacent properties to the Park. The Nitmiluk Board will be informed of all land management liaisons and will direct the nature of engagement as appropriate. (*Ongoing*)

#### Performance Measures

- Increasing communication and engagement with the community.

### 6.3 Indigenous Training, Employment and Economic Opportunities

*'It's really important to have countrymen working on Park, because it's been our people's country for so long. Also, when tourists come they want to see countrymen welcoming them'* - Jawoyn Traditional Owner

Employment, training and economic opportunities for Indigenous people are management goals of the Nitmiluk Board. Jawoyn Traditional Owners see ownership of the Park as a vital opportunity to gain employment, training and increase economic opportunities. Working on country is a chance to exercise cultural responsibilities and to look after country according to Jawoyn Law. For the Parks and Wildlife Commission, managing the Park under the direction of the Nitmiluk Board provides a chance to help build sustainable livelihoods through facilitating business and work opportunities in the Park and elsewhere.

The Parks and Wildlife Commission have a number of obligations in accordance with the Lease, which includes taking all practicable steps to promote Indigenous involvement in the administration, management and control of the Park. In addition, the Parks and Wildlife Commission will consult with and have regard for the views of the Jawoyn Association when Park operational staff are being appointed to permanent Park positions. This includes having a person nominated by the Jawoyn Association present on any staff selection panels. The Jawoyn Association has an important role



Employment with the Jawoyn Rangers is a good stepping stone to working as a Park Ranger

to play in the management of the Park through liaison and representation of Jawoyn Traditional Owners. When Park positions are vacant the Jawoyn Association has a role to help Indigenous applicants through the process.

Nitmiluk National Park provides significant employment opportunities for Indigenous people and the Parks and Wildlife Commission has an obligation in accordance with the Lease to maintain Indigenous employment in on-Park operational positions. The target of 25% Indigenous employment in Park positions has been achieved on Park in the past, however at the time of writing the number of Indigenous Park operational staff has dropped significantly. Difficulties linked to attraction and ongoing employment of Indigenous Park staff has been an issue and the Nitmiluk Board sees this as a key concern.

Employment and training of Indigenous people is an essential part of managing the Park. The Parks and Wildlife Commission is working toward increasing recruitment and retention of Indigenous people in the agency and fostering the career progression of Indigenous employees. The Parks and Wildlife Commission will make every effort to increase the employment of Indigenous people at Nitmiluk National Park, in accordance with employment laws and policies in force in the Northern Territory. Indigenous people will also be encouraged to seek employment through traineeship or apprenticeship programmes.

Nitmiluk Board members believe schooling, training and work are vital for the next generation. Jawoyn Traditional Owners want their children to be employed and trained on the job as well as receive formal training. They believe that ongoing support is required, and that they too have a responsibility to support their young people.

***'We want school leavers to get Ranger jobs. We need some young ones there who can show others the way' - Jawoyn Traditional Owner***

The Parks and Wildlife Commission and the Nitmiluk Board will endeavour to engage with other agencies (i.e. Government departments, Jawoyn Rangers, the shire council, commercial business and other stakeholders) to increase training and employment of Indigenous people in all career avenues on the Park.

### **Management Directions**

113. The Nitmiluk Board and the Parks and Wildlife Commission will continue to identify and provide opportunities for direct employment and training, and subject to any laws in force in the Northern Territory, engage as many Indigenous people as possible to provide services in and in relation to the Park. This includes offering contracts to Jawoyn Rangers to foster their capacity, and inviting volunteers and sponsored training and employment organisations to assist with Park management. *(Ongoing)*
114. Provide all reasonable and appropriate resources to train and subsequently employ Indigenous people in the Park and take all practicable steps to provide for traditional obligations in determining working hours and conditions. *(Ongoing)*
115. Coordinate training and business development with other agencies and groups where possible. *(Ongoing)*
116. Give preference to Indigenous people, companies and organisations when issuing leases and licences or making available casual or temporary employment, subject to any law in force in the Northern Territory. *(Ongoing)*
117. Invest in programs to build the interest and capacity of Indigenous school-aged children. School-based apprentices, work experience, scholarships and other options will be explored through a collaborative approach between the Parks and Wildlife Commission, schools, industry, education and training providers. *(Ongoing)*



118. Employ the traditional Indigenous skills of individuals and groups in the management of the Park, including for specialist cultural advice and supervision, consistent with the Parks and Wildlife Commission *Indigenous Fee for Service Policy*. (Ongoing)
119. Actively work toward recruiting suitably qualified Indigenous people to permanent positions within the Park so that a majority of positions are filled by Indigenous people and facilitate the career progression of Indigenous staff to higher level positions within the Parks and Wildlife Commission. (Ongoing)
120. Consult with the Jawoyn Association in the selection of permanent Park operational staff at Nitmiluk National Park, as per the Lease. (Ongoing)
121. The Parks and Wildlife Commission to provide an update at Nitmiluk Board meetings regarding the number of Indigenous people employed by the Parks and Wildlife Commission within the Park, including any issues and proposed steps to resolve such issues. (Ongoing)

#### Performance Measures

- At least 25% of positions in the Park are filled by Indigenous people.

### Contract Services

Preference for on Park works and service contracts is given to Indigenous organisations and other contractors that can guarantee employment and training for Indigenous people or companies, subject to any law in force in the Northern Territory. At the time of writing there is an agreed arrangement for works on Nitmiluk National Park where a certificate of exemption from the open tender process is granted by the Department of Infrastructure if a Jawoyn Association contractor is able to complete works on the Park. Works undertaken on Park by the Jawoyn Association include maintenance, repairs and minor new works. A contract manager is engaged by the Jawoyn Association to supervise works on Park and employ local Indigenous people as jobs arise.

#### Management Directions

122. Preference for on-Park works and services is given to Indigenous organisations and other contractors that can guarantee employment and training for Indigenous people or companies, subject to any law in force in the Northern Territory. (Ongoing)

### Commercial Operations

***'Our Elders set a goal. We had a dream of owning it (Nitmiluk Tours) 100% and now we've achieved that. There's still lots of work to do and we're still pushing the same vision of our Elders' - Jawoyn Traditional Owner***

Through the Jawoyn Association, the Jawoyn Traditional Owners have successfully developed economic opportunities on Park. Since gaining title to the Park, Jawoyn Traditional Owners have increasingly participated in private and contracting



Nitmiluk Tours manage a number of activities within the

operations through Nitmiluk Tours. Starting out as a joint venture, Nitmiluk Tours is now a successful, wholly owned and operated Indigenous Tourism operation.

***'Nitmiluk Tours generate income for Jawoyn. Money goes to investments for health and culture. It makes Jawoyn stronger' - Jawoyn Traditional Owner***

Nitmiluk Tours are the operator for the Nitmiluk Visitor Centre, Nitmiluk Gorge boat tours, Nitmiluk Canoe Shed operations, and Nitmiluk Caravan Park, chalet and tent village. The Jawoyn Traditional Owners and Indigenous Business Australia have developed the Cicada Lodge which comprises rooms and suites located beside the Katherine River adjacent to the Nitmiluk Caravan Park.

Responsibility for visitor services and infrastructure rests with both the Parks and Wildlife Commission and the on-Park operators. It is therefore critical that Parks and Wildlife Commission staff and the operators work together on visitor management by meeting regularly to discuss issues and share information.

#### Management Directions

123. Parks and Wildlife Commission staff will meet regularly with Park-based operators to discuss issues and share information, ensuring the parties work together to provide the best visitor services and facilities. *(High)*

### Park Entry Fees

The Nitmiluk Board may introduce entry fees. The Nitmiluk Board does not currently have a policy on Park entry fees but may choose to introduce fees in the life of this Plan.

#### Management Directions

124. Develop a policy on Park entry fees. Consideration will be given to Territory Government policy and the tourism industry. *(Low)*

## 6.4 Regulated Activities

### Special Activities

Commercial enterprises or any activities involving special access to the Park require a permit issued under the *Territory Parks and Wildlife Conservation By-laws*. This includes activities related to the undertaking of research (see section 5.4), public gatherings and events, aircraft operation and commercial enterprises including commercial tours, filming and photography (see section 3.6) and commercial sustainable use of wildlife. Permit conditions are imposed which permit holders must abide by to ensure safety standards and minimise negative impacts on Park values and on other Park users. Some permits may require supervision by Jawoyn Traditional Owners or Park operational staff.

The Nitmiluk Board is responsible for developing a policy for commercial activities so that permit proposals can be efficiently and effectively processed, having regard to the interests of the Park, stakeholders and the wider community, and existing Parks and Wildlife Commission policy and procedures. The Nitmiluk Board will develop guidelines early in the life of this Plan. Any relevant permits are processed or denied by the Nitmiluk Board after Jawoyn Traditional Owner members of the Nitmiluk Board have had the opportunity to speak with family.

#### Management Directions

125. The Nitmiluk Board will develop a Permit Policy for commercial activities, having regard for Jawoyn Traditional Owner interests, industry needs and Parks and Wildlife Commission policy. *(High)*

126. The Nitmiluk Board will develop a policy outlining permit approval processes for the Park. The policy will consider delegation to senior Park operational staff for applications such as those considered by the Nitmiluk Board in the past and where applicants are not in breach of their current permit conditions. Compliance with permits will be monitored by Park operational staff and reported to the Nitmiluk Board. (*Ongoing*)
127. The Nitmiluk Board may meet if a permit application involves special access or activities not addressed by agreed policy, guidelines or conditions. The permit holder's rights, obligations and conditions will be detailed in operational agreements attached to a permit. If the permit applicant requests an out-of-session meeting to consider the permit application, they may be charged a fee to cover meeting costs. (*Ongoing*)
128. The Nitmiluk Board will consider favourably applications for permits from Indigenous people or organisations, or applications which will increase training or employment of Indigenous people. (*Ongoing*)

### Tour Operator Permits

Tour operators can have a strong influence on visitors' experiences of the Park. All commercial tourism operators visiting standard visitor areas within parks require a permit under the *Territory Parks and Wildlife Conservation By-laws* as outlined in the Parks and Wildlife Commission Tour Operator Permit System, introduced in April 2006. The Nitmiluk Board want visitor information to be accurate and appropriate. The Tour Operator Permit System allows the Nitmiluk Board to better liaise with tour operators and monitor tour group activities. It also provides opportunities for the development of cultural tourism products and the employment of Indigenous people.

### Development Proposals

***'Development should be carefully planned. The Board needs time to approve development. Jawoyn don't want to be rushed into making decisions'*** - *Jawoyn Traditional Owner*

#### *Protecting the environment*

Development proposals on parks and reserves are subject to assessment that ensures natural, cultural and historical values are not affected. Larger developments may be subject to the *Environmental Assessment Act* and the Commonwealth EPBC Act.

#### *Protecting sacred sites*

Sites of significance to Indigenous people must be protected and managed by law and this is provided under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (ALRA) and the *Northern Territory Aboriginal Sacred Sites Act* (NTASSA).

The ALRA gives legal recognition to areas which the NTASSA terms 'sacred sites', defined as "a site that is sacred to Aboriginals or is otherwise of significance according to Aboriginal tradition, and includes any land that, under a law of the Northern Territory, is declared to be sacred to Aboriginals or of significance according to Aboriginal traditions". This Act makes it an offence to enter or remain on land that is a sacred site without an authority certificate (see also section 4.3).

The NTASSA, managed by the Aboriginal Areas Protection Authority (AAPA), protects sacred sites whether or not they are recorded or registered. Destruction, damage or disturbance to any site is an offence under the Act. Access to sacred sites is regulated by use of Authority Certificates issued by the AAPA in response to land use proposals. Prior to issue of an Authority Certificate, the AAPA is required to consult with custodians of sacred sites to provide an opportunity for

them to say who enters their sacred sites, and what can happen on their sacred sites. Illegal entry, works on or use of a sacred site is an offence under the NTASSA.

### *Protecting Heritage places*

The *Heritage Act 2011* provides protection for and conservation of prescribed archaeological places and objects. These areas are not necessarily sacred sites. They can include art sites, artefact scatters, quarries and scarred trees. Any works or disturbance to prescribed archaeological places and objects will require consultation and permission in accordance with the *Heritage Act 2011*. This Act also provides protection for and conservation of declared Heritage places and objects, including buildings, ruins, and old yards, as well as geological features, fossils and habitats. Importantly, sacred objects are not protected under NTASSA, but by the *Heritage Act 2011* (see also section 4.3).

### *Infrastructure development*

At the time of writing, the Parks and Wildlife Commission in conjunction with Tourism NT are preparing a *Commercial Tourism Development Policy*. This policy provides a clear process for facilitating infrastructure development in NT Parks. Subject to Nitmiluk Board approval, this policy may be used as a basis and may include additional specific guidelines regarding commercial tourism development on the Park. If the policy is adopted, any major proposals or new works will be required to comply with the policy as well as any relevant law.

When a development proposal is put forward, in the first instance the proposal is presented to the Nitmiluk Board for their consideration. Where development proposals, leases or activities may cause environmental, heritage or cultural impacts, the proponent will need to demonstrate that the proposal will comply with all relevant legislation, including the *Environment Assessment Act*, *Heritage Act 2011*, *Planning Act*, EPBC Act, NTASSA, ALRA and other legislation as appropriate. Advice will also be sought from the Department of Land Resource Management. If deemed appropriate, the proponent may be required to conduct a risk assessment to determine if a development or activity is likely to significantly affect sacred sites, threatened species, ecological communities, natural resources or the long term interests of the community.

Developments that may occur during the life of this Plan include:

- re-designing and upgrading existing facilities;
- upgrading visitor access to accommodate high volume traffic;
- exploring additional accommodation options;
- new fences and improved vehicle access;
- commercial camping and exclusive use sites;
- new walking tracks, bike paths or other visitor infrastructure; and
- Nitmiluk National Park Cultural Centre.

When considering any commercial developments within the Park, the Nitmiluk Board will also consider:

- the Nitmiluk Act, the Lease and this Plan;
- environmental and cultural impacts;
- the purposes of the Park and potential benefits to the Park, Jawoyn Traditional Owners and the wider community;

- alternate options off-Park and lost benefits for the Park if not approved;
- preference for Jawoyn Traditional Owners, partnerships or Indigenous owned commercial enterprises;
- the enhancement of public appreciation and enjoyment of the Park;
- if possible, construction is removable with minimal impact and significant natural disturbance is rehabilitated at cost to the proponent; and
- developments that are sustainable and environmental best practice.

#### *Industry partnerships / commercial operations*

If a commercial development occurs within the Park the Nitmiluk Board will arrange, through lease or operational agreements, conditions the enterprise will operate under. Private investors may want long-term security of tenure to achieve a return on their investment before they will consider significant investment in infrastructure on parks. The Nitmiluk Board can consider long-term sub-leases if necessary, as would be the case with a potential accommodation development within the Park (see section 3.7).

#### *Licence or sub-lease*

Any licence or sub-lease must be consistent with the Nitmiluk Act and conditions prepared by the Nitmiluk Board. With the approval of the Nitmiluk Board, this Plan also allows the Conservation Land Corporation as the lessee the right to seek to sub-lease or license portions of the Park for public infrastructure. This includes a sub-lease from the Conservation Land Corporation to Telstra Corporation Limited for the purposes of telecommunications facilities.

#### **Management Directions**

129. All proposed activities and developments will be considered and assessed in-line with relevant legislation and the level of potential impacts. Any development proposals supported by the Nitmiluk Board which involves disturbance of new ground will be referred to the Department of Land Resource Management. *(Ongoing)*
130. Authority certificates will be sought through the AAPA for proposed works within the Park as required. *(Ongoing)*
131. Declared heritage places and archaeological objects in the Park will be protected from development, in accordance with relevant legislation. *(Ongoing)*
132. With Nitmiluk Board approval, the Conservation Land Corporation may sub-lease or license portions of the Park for specific purposes, including public infrastructure. *(Ongoing)*

#### **Performance Measures**

- Transparent processes, including those for approving new developments and activities within the Park, are developed and operating smoothly.

### **Mining**

Mining and extractive activities can have major impacts on the natural and cultural values of the Park. At the time of this Plans preparation there were nine Mineral Claims and one Mineral Lease over former NT Portion 1596, known as 'Little Tasmania'. There are currently no mining or exploration licences covering the remainder of the Park however there are five exploration licence applications.

Any proposal for mineral exploration or mining within the Park requires approval by the Nitmiluk Board. Under the ALRA, Traditional Owners have the right to control mining on Indigenous Land.

The Jawoyn Traditional Owners have expressed opposition to any form of exploration or mining activity on the Park, except on former NT Portion 1596.

#### Management Directions

133. The Nitmiluk Board will seek to protect selected areas of the Park from mining by applying for Reserved Land. (*Moderate*)

### Additions to the Park

In accordance with the Nitmiluk Act, additional land not included in the Lease may be added to the Park. The Nitmiluk Act and the Plan of Management would then apply to this land. At a future time the Nitmiluk Board may consider extending the boundaries of the Park for conservation or cultural benefit. There is no immediate proposal to expand the area of the Park however there is an opportunity to build a partnership with the Jawoyn Indigenous Protected Area for land management purposes (see section 6.2, MD 111 and 112).

## 6.5 Community Living Areas on Park

The Nitmiluk Act allows for Jawoyn Traditional Owners to live in the Park. The Nitmiluk Board can limit this right if there are health, safety or privacy concerns. Jawoyn Traditional Owner living areas have not been established within the Park and there are currently no proposals of this nature. Any future proposals for living areas will be considered by the Nitmiluk Board. Wider consultation and full consideration of the issues will take place as appropriate. Living Areas will be subject to Northern Territory laws and policies, such as an environmental impact assessment.

#### Management Directions

134. The Nitmiluk Board will consider requests by any Jawoyn Traditional Owners to live in the Park. (*Ongoing*)

## 6.6 The Park's Public Profile

Accurate promotion and marketing of the Park gives visitors appropriate expectations and it influences visitor numbers, behaviour, safety and satisfaction. Media coverage and promotion can also help build public support for the Park with flow-on benefits to the Nitmiluk Board and the Northern Territory. The Nitmiluk Board will promote good news stories about the Park and the work of the Nitmiluk Board, including through the use of the Northern Territory Parks and Wildlife Facebook page. The Parks and Wildlife Commission's *Commercial Film and Photography Policy* and locally developed guidelines will support promotion of the Park without compromising Park values.

#### Management Directions

135. The Nitmiluk Board will work with Tourism NT, Tourism Top End and other relevant organisations to ensure that pre-visit information and promotion of the Park is accurate, reinforces the Park's values and presents the Park in ways that are acceptable to the Jawoyn Traditional Owners. (*Ongoing*)

136. The Nitmiluk Board will approve advertising distributed by commercial operators working in the Park. (*Moderate*)

137. The Nitmiluk Board will promote the work of the Nitmiluk Board to the media. (*Moderate*)

## National Landscapes

Australia's National Landscapes Program is a partnership between Tourism Australia and Parks Australia to promote this country's most exceptional natural and cultural experiences to an international tourism audience (Tourism Australia 2011). Nitmiluk National Park is part of the *Australia's Timeless North Landscape* which incorporates Nitmiluk, Mary River, Kakadu and Garig Gunak Barlu National Parks and West Arnhem Land. Being part of *Australia's Timeless North* presents significant opportunities for the Park to benefit from the promotional emphasis Tourism Australia places on National Landscapes and the experience development activities coordinated by the landscape's Steering Committee.

### Management Directions

138. Interpretation and presentation of the Park will coincide with the principles and plans associated with Australia's Timeless North Landscape. (*Moderate*)



Early morning at Nitmiluk Gorge  
(photo: Tourism NT)



## 7. Management Directions and Measures

Management Directions	Page Number	Priority
<b>1. Introduction</b>		
<b>Objectives for the Park</b>		
<ul style="list-style-type: none"> <li>Protecting the Park's values and rights of Jawoyn Traditional Owners whilst encouraging public enjoyment, education and recreation, in accordance with the zoning scheme.</li> <li>Making informed, consistent, transparent and accountable decisions in accordance with this Plan, including the zoning scheme, whilst allowing Jawoyn Traditional Owners to fulfil their cultural responsibilities.</li> </ul>		
<b>1.2 Zoning Scheme</b>		
<b>Management Directions</b>		
1. The Park will be managed in accordance with the zoning scheme.	5	Ongoing
2. Regardless of the zone, all management and development will have regard to maintaining the Park's natural character, its conservation values and visitor experiences.	5	Ongoing
3. To protect sites of exceptional cultural or conservation significance, special protection zones may be designated by the Nitmiluk Board.	5	Ongoing
<b>2. Governance – Making Decisions for Management of the Park</b>		
<b>Management Priority</b>		
Maintain a fair and effective Nitmiluk partnership with all member voices heard and Aboriginal culture treated with sensitivity and respect		
<b>Objectives for the Park</b>		
<ul style="list-style-type: none"> <li>Nitmiluk Board members, the Parks and Wildlife Commission and the Jawoyn Association are satisfied with the processes and outcomes of the Nitmiluk Board and the wider community are engaged and supportive.</li> <li>Management decisions are made effectively and efficiently in keeping with the vision for the Park.</li> <li>Effective governance and continuous improvement.</li> </ul>		
<b>2.1 Planning and Decision-making</b>		
<b>Management Directions</b>		
4. The Nitmiluk Board will meet regularly throughout the year to: plan and develop policy for the management of the Park; monitor management progress; discuss permits, licences, leases and development; and, any other business.	10	High
<b>Performance Measures</b>		
Achievements related to the management priorities stated in this Plan.		
<b>Management Directions</b>		
5. The Nitmiluk Board and the Parks and Wildlife Commission will share decision-making (see Table 2). Sub-committees may be appointed by the Nitmiluk Board to progress specific projects or consider special issues or proposals in between Nitmiluk Board meetings. In accordance with the Nitmiluk Act, the Lease and this Plan, the Parks and Wildlife Commission will manage the Park on a daily basis under the direction of the Nitmiluk Board.	10	Ongoing
6. The Parks and Wildlife Commission will keep the Jawoyn Association well-informed about management activities and issues. Information will be clear and accessible to Nitmiluk Board members. Jawoyn Traditional Owner members of the Nitmiluk Board will be responsible for passing on information to other Jawoyn Traditional Owners.	10	High
7. Opportunities for the paid participation of Indigenous people in management programs will be facilitated as far as possible.	11	High
<b>Performance Measures</b>		
Nitmiluk Board members are satisfied with decision-sharing processes and the implementation of annually agreed priorities		
– Measured through the Nitmiluk Board participatory monitoring and evaluation program (MD 9)		
<b>Management Directions</b>		
8. The Nitmiluk Board recognises that good governance is a process that must be continually revisited. Training will be undertaken by Nitmiluk Board members to grow their skills in cross-cultural communication and governance. The Nitmiluk Board will undergo independent review of governance processes from time to time to ensure good governance and continuous improvement.	11	Ongoing
9. Nitmiluk Board members will monitor and evaluate the process of the Nitmiluk Board. A monitoring and evaluation program will be developed by the Nitmiluk Board early in the life of this Plan to inform action for improved governance. Performance will be measured each year using indicators relating to: satisfaction of Nitmiluk Board members; effectiveness of the partnership; implementation of annually agreed priorities; progress towards longer-term goals stated in this Plan relating to Park values; and, appropriate budget allocation.	11	Ongoing



<p><b>Performance Measures</b> Participatory monitoring and evaluation program implemented</p> <ul style="list-style-type: none"> <li>– Measured through Plan of Management reviews (see MD 108)</li> </ul>		
<p><b>3. Management for Visitors</b></p>		
<p><b>Management Priority</b> Provide high-quality, easily accessible experiences for tourists and options for those wanting experiences away from the crowds</p>		
<p><b>Objectives for the Park</b></p> <ul style="list-style-type: none"> <li>• Providing high-quality, world class experiences where visitors can enjoy and respect the Parks cultural and natural values.</li> <li>• Actively promoting an understanding of and respect for Jawoyn culture and history and the role of Jawoyn Traditional Owners in management of the Park.</li> <li>• Visitors feeling welcome, safe, inspired and highly satisfied.</li> <li>• Regularly engaging with the tourism industry.</li> </ul>		
<p><b>3.1 Tourism Industry</b></p>		
<p><b>Management Directions</b></p>		
10. The Nitmiluk Board will work with the tourism industry to ensure tourism development is rational, appropriate to, and in harmony with Nitmiluk National Park, its values, market demand and commercial viability.	15	High
11. When issuing permits for tour operations, preference will be given to Indigenous people, companies or organisations and to businesses that offer real employment and training opportunities to Jawoyn Traditional Owners and other Indigenous people, subject to any law in force in the Northern Territory.	15	High
<p><b>3.6 Managing Existing Visitor Activities and Facilities</b></p>		
<p><b>Management Directions</b></p>		
12. Maintain and present visitor areas, infrastructure and interpretation to a Class 1 standard at major sites.	19	Ongoing
13. The Parks and Wildlife Commission will work closely with tourism operators to ensure the best possible levels of visitor service, safety and environmental protection are upheld. This includes: * Consistency of presentation throughout areas operated by tourism operators; and * At revision and renewal of permits and Operational Agreements, attention will be given to modifying tour operations based on feedback from safety, visitor and environmental monitoring programs.	19	Ongoing
14. The standard of every visitor opportunity provided within the Park will be reviewed as required throughout the life of this Plan. The intent will be to maximise visitor satisfaction, safety levels and environmental protection.	19	Ongoing
<p><b>Performance Measures</b> Visitor satisfaction at least 90% and visitor numbers to the Park stable or increasing</p> <ul style="list-style-type: none"> <li>– Measured through the Visitor Monitoring Program (see MD 70)</li> </ul> <p>Annual audit of infrastructure and Repairs &amp; Maintenance program completed</p> <ul style="list-style-type: none"> <li>– Measured during annual Park reporting</li> </ul>		
<p><b>Management Directions</b></p>		
15. Investigate options for redevelopment of the Visitor’s Centre. Develop and implement a visitor facility plan, including interpretive display upgrades, within the life of this Plan.	25	High
16. Undertake a detailed technical site assessment for the Leliyn Centre to determine development requirements and produce a concept plan. Develop the Centre to improve visitor experience without impinging on natural surrounds.	25	High
17. Work with the tourism industry and tour companies to develop a system of staggering tour arrivals at Leliyn if necessary.	26	Low
18. Install signage at the turn off to the picnic ground carpark notifying visitors of limited spaces within the carpark and include directions to the main carpark.	26	High
19. Redevelop the carpark, including establishment of a larger coach drop off area, in line with the existing concept plan.	26	Moderate
20. Monitor and investigate for the installation of a toilet at the ninth gorge canoeing campsite.	27	Moderate
21. Redevelop the Gurriluk Education Campground facilities, including installation of a plaque detailing the Park’s hand-back to the Jawoyn Traditional Owners. Explore options for campground use by other groups, including for commercial activities.	27	Low
22. Review Operational Agreement terms and conditions for the Nitmiluk Caravan Park. Work with the operator to determine conditions related to entertainment.	28	High
23. Develop and implement a new Leliyn Tourism Hub Masterplan.	29	High
24. Introduce a campsite booking system at Leliyn through the operator.	29	High
25. Overhaul communication procedures so that the tourism industry and tour operators are updated as soon as swimming and canoeing availability within the Park changes.	30	High
26. The main entry path to the Leliyn pontoon will be concreted to prevent erosion and to provide wheelchair access.	30	Low
27. Work with the Visitor Centre operator to develop a system of PLB and / or satellite phone hire for visitors.	31	High

28.	Conduct strategic culls of feral animals along Park walking tracks for visitor safety.	31	High
29.	Revise walking track risk reduction strategies. Phase ECD's out once PLB's and / or satellite phones are more widely accepted for use by the public.	31	Moderate
30.	Realign the Southern Walks walking track away from vehicle access.	32	High
31.	Investigate options for loopwalks to be created out of each of the existing Southern Walks, with a higher priority placed on the shorter, more popular walks of Windolf, Butterfly Gorge and Lily Pond.	32	Moderate
32.	Implement the Jatbula Trail Management Strategy including considering an increase in the walker limit, campground upgrades, Trail realignments and information redevelopment. Conduct a review of the Strategy prior to 2014 and prepare a new Strategy if required.	33	High
33.	Standardise the registration system for this walk in line with the requirements for all long distance walks across the Parks and Wildlife Commission estate.	33	High
34.	Conduct regular patrols within the Park, particularly within Nitmiluk Gorge, to ensure visitor safety and compliance with Park By-laws.	34	Ongoing
35.	Conduct a review of existing maximum canoe numbers and locations for access.	35	Low
36.	Ensure a safety marshal is stationed at the first / second gorge crossover during peak periods.	35	High
37.	Conduct a review of existing tour boat numbers permitted on the water.	35	Moderate
38.	Install additional shaded seating beside the Canoe Shed.	36	Moderate
39.	Work with the NT Marine Branch and the Power Boat operator in monitoring the upkeep of safety standards, including emergency response training.	36	Ongoing
40.	Engage aviation stakeholders where possible, including through NT RAPAC meetings.	37	High
41.	Maintain a database of flight limit breaches, to be used as a basis for discussion at stakeholder meetings and to improve agreements and guidelines.	37	Moderate
42.	Consider additional helicopter landing sites within the Park for operations, in conjunction with the creation of new activities.	37	Ongoing
43.	Investigate opportunities for providing specialised information and experiences within the Park.	38	Moderate
44.	Work with the tourism industry to better promote specialised on-Park activities and with tour operators interested in developing specialised tourism experiences within the Park.	38	Ongoing
45.	Recreational fishing is subject to relevant legislation and will continue to be prohibited at Edith Falls Plunge Pool.	38	Ongoing
<b>3.7 Proposed New Park Developments</b>			
<b>Management Directions</b>			
46.	New Park developments will be located and constructed with the highest regard to environmental values. Professional site plans are required for significant developments, including new roads, tracks, carparks and buildings.	39	Ongoing
47.	Develop proposed short walking track routes at Nitmiluk Gorge and Leliyn.	40	High
48.	After the walking track realignment (MD 30), develop a pilot cycling trail or shared cycling and walking trail from Gorge Road to the Jawoyn Valley Walk along the existing Southern Walks track. Work with cycling groups to ensure track standards meet user needs and comply with international track standards.	40	High
49.	Investigate development of an additional section to the cycle trail, creating a loop trail starting and finishing along Gorge Road.	40	Moderate
50.	Investigate the potential for a long distance mountain biking track and camping facilities within the Park. Sites to investigate include the disused vehicle track along the Park boundary from Nitmiluk Gorge to Leliyn.	41	Low
51.	Undertake a detailed assessment for the proposed low-level pedestrian bridge and develop concepts for consideration.	41	High
52.	Undertake a detailed site assessment and develop a concept plan for a Northern Riverbank visitor site.	41	High
53.	Investigate and identify a location in the eastern portion of the Park, adjacent to Manyallaluk community, to develop a visitor site. Determine possible recreation uses and suitability for camping and accommodation.	42	Moderate
54.	Undertake a detailed site assessment to determine infrastructure requirements and develop a concept plan for an Eastern Park Tourism Hub.	42	Low
55.	Investigate options for the development of a new visitor site along the Jatbula Trail. Consider impacts a site will have on the current 'Jatbula experience'.	42	Low
56.	Undertake a detailed site assessment to determine infrastructure requirements and develop a concept plan for a Jatbula Trail visitor site.	42	Low
57.	Investigate the potential for development of a long distance walking trail from Nitmiluk Gorge to Manyallaluk community, including standing camps, as part of the proposed Eastern Park Tourism Hub project.	43	Moderate
58.	Commence discussions with Kakadu National Park Board of Management on development of the northern sections of the proposed long distance walking trail. Create a strategy for establishment of the entire trail.	43	Moderate
59.	Identify and investigate potential locations for a world class accommodation development within the Park.	44	Moderate

60.	Investigate and identify a location within the Park along Gorge Road for a new carpark. Undertake site planning and tender for a private operator to commence shuttle bus services when the carpark is completed.	44	Moderate
<b>3.8 Visitor Safety</b>			
<b>Management Directions</b>			
61.	Perform annual risk management assessments.	45	Ongoing
62.	Review and upgrade directional signs so visitors are able to locate Park facilities.	45	Ongoing
63.	All Park operational staff will be familiar with the Visitor Incident System and be trained and prepared to implement it at any time.	45	High
64.	Park operational staff will work closely with NT Police, Fire and Emergency Services and Bushfires NT and during safety incidents when required.	45	High
<b>Performance Measures</b> Implementation of the Visitor Incident System and no serious injury or death of Park visitors – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)			
<b>Management Directions</b>			
65.	Maintain the 'Estuarine (Saltwater) Crocodile Management for Visitor Safety – Nitmiluk National Park' plan across the Park and review the plan annually.	46	High
66.	Identify and implement suitable crocodile management methods for Nitmiluk Gorge and Edith Falls Plunge Pool to secure continued swimming access at Leliyn and continued swimming and canoeing access at Nitmiluk Gorge. Strategies may include barrier fencing and increased crocodile management downstream of Nitmiluk Gorge and the Plunge Pool.	46	High
67.	Regularly review estuarine (saltwater) crocodile risk throughout the life of this Plan. Consult all stakeholders if risk levels are considered too high for visitor safety.	46	High
<b>Performance Measures</b> Implementation of the 'Estuarine (Saltwater) Crocodile Management for Visitor Safety' plan – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)			
<b>Management Directions</b>			
<b>3.9 Visitor Information and Interpretation</b>			
68.	Jawoyn members of the Nitmiluk Board will be actively involved and consulted on key aspects of public education development and all Park information will have a strong cultural focus. Public contact with Indigenous Park operational staff and other Jawoyn Traditional Owners will be facilitated wherever possible.	47	High
69.	All Park information will be reviewed with assistance from stakeholders. An information plan will be developed and implemented for the Park. Options for tailored Park information for emerging tourism markets and innovative delivery of information will be considered.	47	High
<b>Performance Measures</b> Jawoyn members of the Nitmiluk Board are satisfied with cultural content of all Park information – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)			
<b>3.10 Visitor Monitoring</b>			
<b>Management Directions</b>			
70.	The Parks and Wildlife Commission will collect visits data from traffic counters and carry out visitor surveys approximately every three years in accordance with the revised Parks and Wildlife Commission Visitor Monitoring Program	47	High
<b>3.11 Waste and Wastewater Management</b>			
<b>Management Directions</b>			
71.	Prepare and implement the <i>Waste Management Policy</i> with the approval of the Nitmiluk Board.	48	High
72.	Tender for a contractor to perform a rubbish collection service for waste generated by business and staff.	48	High
<b>4. Management of Cultural Values</b>			
<b>Management Priority</b> Protect Jawoyn Traditional Owner knowledge and values and integrate these into how the Park is managed			
<b>Objectives for the Park</b>			
<ul style="list-style-type: none"> <li>Protecting significant sites and Indigenous Cultural and Intellectual Property.</li> <li>Jawoyn Traditional Owners able to fulfil their cultural responsibilities.</li> <li>Continuing to include Indigenous knowledge, skills and interests into management programs for the Park.</li> </ul>			
<b>4.1 Continuing Use and Ceremony</b>			
<b>Management Directions</b>			
73.	Protect the exercising of traditional rights whilst managing possible adverse effects of activities on visitor safety or ecosystems. Monitor any harvesting of material or bush foods to ensure it is sustainable. Park operational staff will report to the Nitmiluk Board if plants are being over-harvested.	51	Low
<b>Performance Measures</b> The Nitmiluk Board is satisfied that collection of traditional materials is not adversely affecting the Park's biodiversity. – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)			
<b>Management Directions</b>			
74.	Traditional Owners will maintain ownership and control of their Indigenous Cultural and Intellectual	52	Ongoing

	Property. A Cultural Heritage Management Plan will be developed which may include how cultural knowledge is recorded, stored and used.		
75.	Continue to include Indigenous ecological knowledge and practice into land management programs as appropriate.	52	Ongoing
<b>4.3 Places of Cultural Significance</b>			
<b>Management Directions</b>			
76.	The Nitmiluk Board will seek the assistance of the Heritage Branch of the Department of Lands, Planning and Environment to develop and implement a Cultural Heritage Management Plan (where appropriate as per Parks and Wildlife Commission policy), providing for Traditional Owner cultural interests, and historic / archaeological site assessment and conservation. Specialist groups such as AAPA will be consulted on best practice information recording and management procedures. The Nitmiluk Board will work together to identify supporting resources for projects as required.	53	Moderate
77.	All cultural related requests will be considered by the Nitmiluk Board in conjunction with the Parks and Wildlife Commission; including developments, access to zones outside of visitor areas, mining etc. The Nitmiluk Board in consultation with Jawoyn Traditional Owners will nominate a person or clan to visit sites and consider approval for access.	53	Ongoing
78.	The Nitmiluk Board will define protocols for Park operational staff, researchers and visitors to observe when given permission to access culturally sensitive areas of the Park. The Parks and Wildlife Commission will manage these protocols as directed by the Nitmiluk Board.	53	Ongoing
<p><b>Performance Measures</b>                      Nitmiluk Board members and the Jawoyn Association are satisfied cultural sites are intact and respected.                      A Cultural Heritage Management Plan developed and implemented. The Nitmiluk Board is satisfied with the plans implementation, including rock art management program.                      – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</p>			
<b>Management Directions</b>			
79.	Research will be encouraged to provide additional documentation of historical sites within the Park.	53	Ongoing
<b>5. Management of Natural Values</b>			
<p><b>Management Priority</b>                      Retain and improve the Park's internationally significant biodiversity values, particularly endemic and threatened plants and animals</p> <p><b>Objectives for the Park</b></p> <ul style="list-style-type: none"> <li>Protecting and maintaining the natural values of national and international significance including sandstone and open woodland communities, plant and animal diversity and significant species such as the Gouldian finch and Leichhardt's grasshopper.</li> <li>Managing threatening processes to reduce their impact on the Park's biodiversity.</li> </ul>			
<b>5.1 Water Resources</b>			
<b>Management Directions</b>			
80.	Use all ground and surface water within the Park sustainably to maintain the health of Northern Territory waterways. This includes recording and submitting water meter readings to the Water Resources Branch every month; irrigating in the evenings or early mornings; and, using water efficient toilets, showerheads and washing machines.	56	High
81.	The Parks and Wildlife Commission will investigate applying for a water extraction licence from the Edith River for use at Leliyn.	56	High
<b>5.2 Flora</b>			
<b>Management Directions</b>			
82.	The Park's floral diversity will be protected through threat abatement programs integrated into annual operational action plans (see section 5.5).	57	High
<p><b>Performance Measures</b>                      Stable or increasing trends for selected high priority and / or threatened species.                      – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</p>			
<b>5.3 Fauna</b>			
<b>Management Directions</b>			
83.	The Park's faunal diversity will be protected through threat abatement programs integrated into annual operational action plans (see section 5.5).	58	High
<p><b>Performance Measures</b>                      Stable or increasing trends for selected high priority and / or threatened species.                      – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</p>			
<b>5.4 Biological Research and Monitoring</b>			
<b>Management Directions</b>			
84.	Early in the life of this Plan, a planning team comprised of the park manager, a Nitmiluk Board member, scientists, stakeholders and a planner will prepare an Integrated Conservation Strategy for the Park.	59	High
85.	Annually review internal research programs. External research projects may require Jawoyn Traditional Owner involvement.	60	Ongoing
86.	Carry out fauna surveys of fire monitoring plots every five years (as per the Three Park's Fire Monitoring Program). Undertake annual photo-point monitoring and fire scar mapping.	60	High

87.	Conduct freshwater crocodile monitoring as part of the estuarine (saltwater) crocodile monitoring program (see section 3.8).	60	Moderate
88.	Gouldian finch sites monitored in the Yinberrie Hills, adjacent to the Park.	60	Moderate
89.	Leichhardt's grasshopper sites resurveyed using established methods (Villiers 2007) to determine the current status of the grasshopper. Resurvey to assess and adapt fire management practices.	60	Moderate
90.	In conjunction with the Flora & Fauna Branch, establish targeted surveys for poorly documented threatened species.	60	Moderate
91.	Record all incidental fauna observations at <a href="http://ntfaunaobs.nt.gov.au">http://ntfaunaobs.nt.gov.au</a> to expand the NT Fauna Observations database.	60	Low
<b>5.5 Managing Threatening Processes</b>			
<b>Management Directions</b>			
92.	Manage fire strategically through five year strategies and annual operational action plans based on results of the fire monitoring plot surveys. Develop strategies and plans in conjunction with the Jawoyn Association, Bushfires NT and neighbours. Key areas of focus include: <ul style="list-style-type: none"> <li>* pre-fire season planning and discussions with Jawoyn Traditional Owners, Kakadu and Bushfires NT;</li> <li>* implementing burnt buffers along roads and tracks, natural features such as watercourses and boundaries which historically have been the source of unwanted ignitions;</li> <li>* implementing patchy prescribed fires of low scorch height wherever practicable; and</li> <li>* end-of-year assessment and review.</li> </ul>	62	Ongoing
93.	Burn to have strong and healthy culture and to protect people, personal property, infrastructure and biodiversity assets from fire.	62	High
94.	Investigate opportunities for developing an ecologically and economically sustainable greenhouse gas emissions reduction program for the Park.	62	High
95.	Annually collaborate with neighbouring landholders including Kakadu National Park and the Jawoyn Rangers on fire planning. Regularly liaise with allocated contact people.	62	High
96.	Park operational staff to facilitate high level involvement of Jawoyn Traditional Owners in control burning and fire management on the Park and be guided by Jawoyn traditional methods as far as possible.	62	Moderate
97.	Finalise construction of fire trails from 17 Mile Falls to the Fergusson and Edith Rivers.	62	Moderate
<p><b>Performance Measures</b></p> <p>Less than 40% of the Park burnt each year through implementation of an effective strategic early Dry season prescribed burning program.</p> <p>No loss or significant decline in fire sensitive ecosystems or populations of indicator species in the Park. Assessment achieved through fire monitoring plot surveys.</p> <p>The Nitmiluk Board is satisfied with fire management on the Park.</p> <p>Increasing involvement by Jawoyn Traditional Owners in Park fire management programs</p> <ul style="list-style-type: none"> <li>– Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</li> </ul>			
<b>Management Directions</b>			
98.	Manage weeds strategically by consulting with neighbours and through five year strategies and annual operational action plans developed with input from the Weed Management Branch. Regularly provide Park weed data to the Weed Management Branch. Key areas of focus include: <ul style="list-style-type: none"> <li>* targeting protection of high visitor use areas and key biodiversity locations, particularly rainforest patches, rivers, wetlands, woodlands and forest areas;</li> <li>* strategically identifying areas where weed density is low and targeting these locations;</li> <li>* identifying areas that have the potential to cause weed spread, such as four-wheel drive service tracks; and</li> <li>* enforcing the use of weed-free, clean equipment when undertaking development on-Park.</li> </ul>	64	Ongoing
99.	Conduct ongoing surveillance and mapping for Class A weeds, particularly mimosa and chinee apple. If detected, control immediately	64	High
100.	Strategically control statutory weeds including khaki weed, rubber bush, mission grass and sida to prevent their further spread into the Park.	64	High
<p><b>Performance Measures</b></p> <p>Reductions in the extent of existing priority weed species, particularly mission grass, and no new weed species infestations.</p> <ul style="list-style-type: none"> <li>– Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</li> </ul>			
<b>Management Directions</b>			
101.	Manage feral animals strategically by consulting with the Jawoyn Association, neighbours and through five year strategies and annual operational action plans developed using Wildlife Branch and the Department of Land Resource Management's Flora & Fauna Branch standards.	65	Ongoing
102.	Focus feral control efforts on areas of high visitor use and key biodiversity sites, including sandstone shrubland country, rainforest patches, wetlands and along rivers	65	High
103.	Undertake twice yearly aerial feral animal control with a focus on buffalo (highest priority species), pigs (medium) horses and donkeys (lowest).	65	High
104.	Undertake opportunistic trapping of pigs and cats and maintain existing fence-lines.	65	Moderate
<p><b>Performance Measures</b></p> <p>A reduction in the impact of feral animals on the Parks natural values.</p>			

– Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)		
<b>6. Business Operations</b>		
<b>Management Priority</b>		
Develop, promote and provide more employment and business opportunities for Jawoyn Traditional Owners on the Park		
<b>Objectives for the Park</b>		
<ul style="list-style-type: none"> <li>• Achieving the Goals and Management Directions of this Plan with resources used effectively.</li> <li>• Jawoyn Traditional Owners and the wider community benefiting economically from Nitmiluk National Park.</li> <li>• A supportive community and positive interactions with those with an interest in the Park's management.</li> <li>• An improved knowledge base for making decisions about the Park.</li> <li>• The Park's public profile in-line with the values and purpose of the Park.</li> </ul>		
<b>6.1 General Administration</b>		
<b>Management Directions</b>		
105. Ensure compliance with the Nitmiluk Act, the Lease and the TPWC Act, including By-laws and Regulations, and other legislation where appropriate.	66	Ongoing
106. Develop and review policies, guidelines and standard operating procedures.	67	Ongoing
107. Professional standards and Park operational staff competencies will be supported by ongoing training in all aspects of park management with special emphasis on cross-cultural training run by Jawoyn Traditional Owners and other providers.	67	Ongoing
108. The Nitmiluk Board will review this Plan after four and eight years with a report written by the Parks and Wildlife Commission on behalf of the Nitmiluk Board five years after this Plan's implementation.	67	High
109. Park operational staff will complete a biennial performance review for the Park which will be provided to the Nitmiluk Board. Every fifth year a State of the Park Report will be produced reporting on the condition of key values and recommending adaptive changes to management if appropriate. This process may also contribute to State of the Environment Reporting	67	Ongoing
<b>6.2 Community and Stakeholder Engagement</b>		
<b>Management Directions</b>		
110. Develop and implement a stakeholder communication plan early in the life of this Plan.	69	High
111. Once the Jawoyn IPA is established, formalise any agreement between the Nitmiluk Board, the Parks and Wildlife Commission and the Jawoyn Traditional Owners in writing.	69	High
112. Communicate with neighbours on a regular basis and commence neighbour negotiations regarding development of compatible land uses and management practices with adjacent properties to the Park. The Nitmiluk Board will be informed of all land management liaisons and will direct the nature of engagement as appropriate.	69	Ongoing
<b>Performance Measures</b>		
Increasing communication and engagement with the community.		
– Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)		
<b>6.3 Indigenous Training, Employment and Economic Opportunities</b>		
<b>Management Directions</b>		
113. The Nitmiluk Board and the Parks and Wildlife Commission will continue to identify and provide opportunities for direct employment and training, and subject to any laws in force in the Northern Territory, engage as many Indigenous people as possible to provide services in and in relation to the Park. This includes offering contracts to Jawoyn Rangers to foster their capacity, and inviting volunteers and sponsored training and employment organisations to assist with Park management.	70	Ongoing
114. Provide all reasonable and appropriate resources to train and subsequently employ Indigenous people in the Park and take all practicable steps to provide for traditional obligations in determining working hours and conditions.	70	Ongoing
115. Coordinate training and business development with other agencies and groups where possible.	70	Ongoing
116. Give preference to Indigenous people, companies and organisations when issuing leases and licences or making available casual or temporary employment, subject to any law in force in the Northern Territory.	70	Ongoing
117. Invest in programs to build the interest and capacity of Indigenous school-aged children. School-based apprentices, work experience, scholarships and other options will be explored through a collaborative approach between the Parks and Wildlife Commission, schools, industry, education and training providers.	70	Ongoing
118. Employ the traditional Indigenous skills of individuals and groups in the management of the Park, including for specialist cultural advice and supervision, consistent with the Parks and Wildlife Commission <i>Indigenous Fee for Service Policy</i> .	71	Ongoing
119. Actively work toward recruiting suitably qualified Indigenous people to permanent positions within the Park so that a majority of positions are filled by Indigenous people and facilitate the career progression of Indigenous staff to higher level positions within the Parks and Wildlife Commission.	71	Ongoing
120. Consult with the Jawoyn Association in the selection of permanent Park operational staff at Nitmiluk National Park, as per the Lease.	71	Ongoing
121. Parks and Wildlife Commission to provide an update at each Nitmiluk Board meeting regarding the number of Indigenous people employed by the Parks and Wildlife Commission within the Park, including any issues and proposed steps to resolve such issues.	71	Ongoing

<p><b>Performance Measures</b> At least 25% of positions in the Park are filled by Indigenous people. – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</p>		
<p><b>Management Directions</b></p>		
122. Preference for on-Park works and services is given to Indigenous organisations and other contractors that can guarantee employment and training for Indigenous people or companies, subject to any law in force in the Northern Territory.	71	Ongoing
123. Parks and Wildlife Commission staff will meet regularly with Park-based operators to discuss issues and share information, ensuring the parties work together to provide the best visitor services and facilities.	72	High
124. Develop a policy on Park entry fees. Consideration will be given to Territory Government policy and the tourism industry.	72	Low
<p><b>6.3 Regulated Activities</b></p>		
<p><b>Management Directions</b></p>		
125. The Nitmiluk Board will develop a Permit Policy for commercial activities, having regard for Jawoyn Traditional Owner interests, industry needs and Parks and Wildlife Commission policy.	72	High
126. The Nitmiluk Board will develop a policy outlining permit approval processes for the Park. The policy will consider delegation to senior Park operational staff for applications such as those considered by the Nitmiluk Board in the past and where applicants are not in breach of their current permit conditions. Compliance with permits will be monitored by Park operational staff and reported to the Nitmiluk Board.	73	Ongoing
127. The Nitmiluk Board may meet if a permit application involves special access or activities not addressed by agreed policy, guidelines or conditions. The permit holder's rights, obligations and conditions will be detailed in operational agreements attached to a permit. If the permit applicant requests an out-of-session meeting to consider the permit application, they may be charged a fee to cover meeting costs.	73	Ongoing
128. The Nitmiluk Board will consider favourably applications for permits from Indigenous people or organisations, or applications which will increase training or employment of Indigenous people.	73	Ongoing
129. All proposed activities and developments will be considered and assessed in-line with relevant legislation and the level of potential impacts. Any development proposals supported by the Nitmiluk Board which involves disturbance of new ground will be referred to the Department of Land Resource Management.	75	Ongoing
130. Authority certificates will be sought through the AAPA for proposed works within the Park as required.	75	Ongoing
131. Declared heritage places and archaeological objects in the Park will be protected from development, in accordance with relevant legislation.	75	Ongoing
132. With Nitmiluk Board approval, the Conservation Land Corporation may sub-lease or license portions of the Park for specific purposes, including public infrastructure.	75	Ongoing
<p><b>Performance Measures</b> Transparent processes, including those for approving new developments and activities within the Park, are developed and operating smoothly. – Measured as part of the Management Effectiveness Framework biennial performance review (see page 59)</p>		
<p><b>Management Directions</b></p>		
133. The Nitmiluk Board will seek to protect selected areas of the Park from mining by applying for Reserved Land.	76	Moderate
134. The Nitmiluk Board will consider requests by any Jawoyn Traditional Owners to live in the Park.	76	Ongoing
135. The Nitmiluk Board will work with Tourism NT, Tourism Top End and other relevant organisations to ensure that pre-visit information and promotion of the Park is accurate, reinforces the Park's values and presents the Park in ways that are acceptable to the Jawoyn Traditional Owners.	76	Ongoing
136. The Nitmiluk Board will approve advertising distributed by commercial operators working in the Park.	76	Moderate
137. The Nitmiluk Board will promote the work of the Nitmiluk Board to the media.	76	Moderate
138. Interpretation and presentation of the Park will coincide with the principles and plans associated with Australia's Timeless North Landscape.	77	Moderate



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## 9. Appendices

### Appendix 1: Nitmiluk (Katherine Gorge) National Park Act

#### NORTHERN TERRITORY OF AUSTRALIA

#### NITMILUK (KATHERINE GORGE) NATIONAL PARK ACT

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This reprint shows the Act as in force at 14 December 2005. Any amendments that commence after that date are not included.

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#### NITMILUK (KATHERINE GORGE) NATIONAL PARK ACT

An Act to acknowledge and secure the right of Aboriginals who are the traditional Aboriginal owners of certain land in the Northern Territory of Australia, and certain other Aboriginals, to occupy and use that land, to establish a National park comprising that land to be known as the Nitmiluk (Katherine Gorge) National Park, to provide for the management and control of that Park and certain other land, and for related purposes

#### Part I Preliminary

##### 1 Short title

This Act may be cited as the *Nitmiluk (Katherine Gorge) National Park Act*.

##### 2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

##### 3 Interpretation

(1) In this Act, unless the contrary intention appears:

**Aboriginal** means a person who is a member of the Aboriginal race of Australia.

**Aboriginal tradition** has the same meaning as in the Land Rights Act.

**aircraft** has the same meaning as in the Territory Parks Act.

**animal** has the same meaning as in the Territory Parks Act.

**Board** means the Nitmiluk (Katherine Gorge) National Park Board established by section 9.

**Commission** means the Commission within the meaning of the *Parks and Wildlife Commission Act*.

**Corporation** means the Conservation Land Corporation within the meaning of the *Parks and Wildlife Commission Act*.

**Director of Parks and Wildlife** means the Director within the meaning of the *Parks and Wildlife Commission Act*.

**Jawoyn Association** means the Jawoyn Association Aboriginal Corporation.

**Land Council** means the Land Council for the area in which the Park is situated established

under the Land Rights Act.

**Land Rights Act** means the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth.

**Land Trust** means the Jawoyn Aboriginal Land Trust established under the Land Rights Act.

**Park** means:

- (a) the area the subject of the lease; and
- (b) the additional areas, if any, added under section 7 to the Park.

**plan of management** means the plan of management for the Park prepared under section 20 by or on behalf of the Board.

**plant** has the same meaning as in the Territory Parks Act.

**the lease** means the lease referred to in section 5 and, if the lease is amended in accordance with its provisions, includes the lease as so amended from time to time.

**Territory Parks Act** means the Territory Parks and Wildlife Conservation Act.

**traditional Aboriginal owners**, in relation to the Park, has the same meaning as in the Land Rights Act.

**traffic sign** has the same meaning as in the Territory Parks Act.

**vehicle** has the same meaning as in the Territory Parks Act.

**vessel** has the same meaning as in the Territory Parks Act.

- (2) Where in this Act provision is made for an act or thing that may be done or a function that may be performed by the Jawoyn Association, that act or thing may be done, or that function may be performed, with the consent in writing of the Jawoyn Association, by the Land Council.

#### **4 Act binds Crown**

This Act binds the Crown not only in right of the Territory but, so far as the legislative power of the Legislative Assembly permits, the Crown in all its capacities.

#### **5 Lease**

- (1) As soon as practicable after the area of land specified in Schedule 1 is granted under the Land Rights Act to the Land Trust, the Corporation shall accept a lease of the land from the Land Trust in the terms specified in the Memorandum of Lease in Schedule 1.
- (2) The lease, on its execution, is approved.
- (3) The implementation of the lease is authorized and ministers, departments, statutory corporations and authorities (including the Commission and the Corporation) shall do all things necessary or expedient to carry out their respective obligations under or in relation to, and give full effect to, the lease.
- (4) Where a provision of another law of the Territory is inconsistent with this Act, this Act shall prevail and the provision of the other law, to the extent of the inconsistency has no effect.
- (5) Notwithstanding subsection (4), the lease and any addition to the park under section 7, is not a subdivision or consolidation for the purposes of the *Planning Act*.

#### **6 Establishment of national park**

- (1) On the commencement of the lease the Park is, by force of this section, established as a national park for the benefit and enjoyment of all people.
- (2) The Park shall be used in such manner and on such conditions as are provided by or under the lease, this Act and, when a plan of management is in force, the plan of management.

**7 Additions to Park**

- (1) Where the Land Council and the Commission agree that land vested in the Land Trust not included in the lease should be added to the Park, the Land Trust shall grant, and the Corporation shall accept, a lease of the additional area on the same terms and conditions as apply under the lease to the land the subject of the original lease, or on such other terms and conditions as are agreed.
- (2) The Land Council and the Commission may, with the consent of all persons having an estate or interest registered under the *Land Title Act* in land not vested in the Land Trust, agree that the land should be added to the Park.
- (3) On:
  - (a) the registration under the *Land Title Act* of:
    - (i) a lease of an additional area granted and accepted in pursuance of subsection (1); or
    - (ii) a lease granted in pursuance of an agreement and consent under subsection (2); or
  - (b) where no lease is to be granted in pursuance of an agreement and consent under subsection (2), on the lodging with the Registrar-General under subsection (4) of a copy of the agreement and consent under subsection (2), the additional area, or the land the subject of the agreement, forms part of the Park and this Act, the By-laws and the plan of management applies to and in relation to it as part of the Park accordingly.
- (4) The Commission shall, as soon as practicable after an agreement and consent under subsection (2) is made and given, where the agreement does not provide for the granting of a lease of the land to which it relates, lodge with the Registrar-General a copy of the agreement and consent, and the Registrar-General shall make an appropriate entry in the record of administrative interests and information kept under section 38 of the *Land Title Act*.

**8 Entitlement to use and occupation**

Subject to this Act and to the plan of management, the Aboriginals who are, from time to time, Aboriginal traditional owners of the Park or Aboriginals entitled by Aboriginal tradition to the use or occupation of the Park are, at all times, entitled to use and occupy the Park.

**Part II Establishment, composition and procedures of Board**

**9 Establishment of Board**

- (1) There is hereby established a Board to be known as the Nitmiluk (Katherine Gorge) National Park Board.
- (2) The Board:
  - (a) is a body corporate with perpetual succession;
  - (b) shall have a common seal; and
  - (c) subject to this Act, is capable, in its corporate name, of holding and disposing of real (including leasehold) and personal property and of suing and being sued.
- (3) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Board affixed to a document and shall assume that it was duly affixed.

**10 Composition of Board**

- (1) The Board shall consist of 13 members appointed by the Minister, of whom:
  - (a) 8 shall be traditional Aboriginal owners of the Park appointed on the nomination of the Jawoyn Association;

- (b) at least one is to be a member of the permanent staff of the Commission appointed on the nomination of the Director of Parks and Wildlife;
- (ba) 2 are to each hold an appointment (whether as an employee or a Chief Executive Officer) under the *Public Sector Employment and Management Act* and are to be appointed on the nomination of the Director of Parks and Wildlife;
- (bb) one is to be the presiding member of the Kakadu National Park Board established under the *National Parks and Wildlife Conservation Act 1975* of the Commonwealth or another Aboriginal member of the Kakadu National Park Board; and
- (c) one shall be a resident of the Katherine area appointed on the nomination of the Mayor of the municipality of Katherine.

*Note for subsection (1):*

*The National Parks and Wildlife Conservation Act 1975 (Cth) was repealed by the Environmental Reform (Consequential Provisions) Act 1999 (Cth). However, the Board for the Kakadu National Park continues in existence under Schedule 4, item 6(1)(c) to the Environmental Reform (Consequential Provisions) Act 1999 (Cth).*

- (2) A person who is a member of the Legislative Assembly or of either house of the Parliament of the Commonwealth is not eligible to be appointed or to hold office as a member of the Board.
- (3) As soon as practicable after an appointment under subsection (1) has been made, the Minister shall cause notice of that appointment to be published in the *Gazette*.
- (4) Subject to sections 11 and 12, a member of the Board holds office for a period of 3 years but is eligible for reappointment.
- (5) Where a member of the Board appointed under subsection (1)(a) is or is about to become unable, whether on account of illness or otherwise, to perform the duties of the member's office, the Jawoyn Association may appoint a traditional Aboriginal owner of the Park to act in the place of that member during the period during which that member is unable to perform those duties, unless the first-mentioned member has, under section 14(4), given to another member a general authority to vote for him or her at meetings of the Board during the first-mentioned member's inability to perform the duties of that office.
- (6) A person appointed to act in the place of a member of the Board has all the functions and powers of that member.
- (7) The performance of a function or the exercise of a power of the Board is not affected by reason only of there being a vacancy in the office of a member of the Board.

#### **11 Resignation of member**

A member of the Board may resign office by writing signed by or with the authority of the member, delivered to the Minister.

#### **12 Appointment of new member**

- (1) The Minister shall, as soon as practicable after:
  - (a) receiving the resignation of a member of the Board;
  - (b) being advised in writing by the Jawoyn Association that, in its opinion, a member appointed on the nomination of the Jawoyn Association has failed properly to perform the duties of the member's office; or
  - (c) becoming aware of a member's inability to continue as a member because of illness or for any other reason, terminate the appointment of the person as a member of the Board.
- (2) The Minister shall, as soon as practicable after:
  - (a) becoming aware of the death of a member of the Board; or

- (b) under subsection (1) terminating the appointment of a person as a member, appoint another person, with the same qualification for membership as the person in whose stead the person is appointed, to be a member of the Board.

**13 Chairman and Deputy Chairman**

- (1) The Minister shall, as soon as practicable after the establishment of the Board or at any time when the office of Chairman of the Board is vacant, convene a meeting of the Board for the purpose of electing a member of the Board as the Chairman of the Board.
- (2) The Minister shall appoint one of the members appointed under section 10(1)(a) to preside at a meeting referred to in subsection (1).
- (3) The Chairman of the Board shall be elected by the Board from among the members appointed under section 10(1)(a).
- (4) Where a member is elected as Chairman at a meeting referred to in subsection (1), the member shall preside at that meeting in place of the member appointed under subsection (2) by the Minister.
- (5) The Board shall, as soon as practicable after its establishment, elect one of its members appointed under section 10(1)(a) to be the Deputy Chairman of the Board and shall thereafter, whenever the position of Deputy Chairman is vacant, elect a member, with the same qualification for membership, to be the Deputy Chairman.
- (6) Subject to subsection (7), a member elected under this section as the Chairman or the Deputy Chairman, while the person remains a member of the Board, holds office for 3 years and is eligible for re-election.
- (7) The Board may at any time, by resolution, elect a new Chairman or Deputy Chairman having the qualification referred to in subsections (3) and (5) and, on the passing of such a resolution, the person who held that office immediately before that resolution was passed ceases to hold that office.

**14 Calling of meetings, procedure, &c.**

- (1) The Chairman or Deputy Chairman of the Board shall call such meetings of the Board as are necessary for the performance of its functions and the exercise of its powers.
- (2) The Minister may, at any time, direct the Chairman or the Deputy Chairman to call a meeting of the Board and the Chairman or Deputy Chairman shall call a meeting accordingly.
- (3) At a meeting of the Board:
  - (a) the Chairman, if present, or, if the Chairman is not present, the Deputy Chairman, shall preside or, if neither the Chairman nor Deputy Chairman is present, the members of the Board present shall elect one of their number to preside;
  - (b) subject to subsection (4), 7 members, of whom 4 shall be members appointed under section 10(1)(a), constitute a quorum;
  - (c) questions arising shall be determined by a majority of the votes of the members present and, in the event of an equality of votes, the person presiding shall have a casting vote as well as a deliberative vote; and
  - (d) subject to this Act, the Board shall determine the procedures to be followed at or in connection with the meeting.
- (4) A member of the Board may, in writing under the member's hand or with the member's authority, give to another member a general authority to vote for the first-mentioned member at a meeting of the Board and the member given that authority may vote for the first-mentioned member at that meeting and shall, for the purposes of subsection (3)(b), be counted towards a quorum as though he or she were also the first-mentioned member.
- (5) The Board shall cause records of its meetings to be kept and, as soon as practicable after each meeting, shall cause a copy of the minutes of the meeting to be given to each member

of the Board, to the Jawoyn Association, to the Minister and to the Land Council.

- (6) A member of the Board may require the Board to admit to a meeting of the Board such persons as the member considers necessary to advise the member on matters being considered at the meeting and may require the Board to allow such persons, or any of them, to address the meeting on the member's behalf, and the Board shall admit those persons and allow them to address the meeting accordingly.
- (7) A person admitted to a meeting of the Board pursuant to subsection (6) shall not vote on any matter at that meeting.

**15 Committees**

- (1) The Board may appoint a planning committee consisting of such of its members and other persons as it thinks fit, to assist it in the preparation of plans of management.
- (2) The Board may appoint a committee or committees of its members to assist it in relation to the performance of such other of its functions as it thinks fit.
- (3) The Board may give such directions as it thinks fit about the procedure to be followed at, and in relation to, meetings of a planning committee appointed under subsection (1) or a committee appointed under subsection (2) and the committee shall comply with those directions.

**Part III Functions and powers of Board and Commission**

**16 Functions of Board**

The functions of the Board are:

- (a) to prepare plans of management for the control and management of the Park;
- (b) to make decisions, not inconsistent with this Act and the plan of management, in respect of the Park;
- (c) to protect and enforce the right of Aboriginals entitled by Aboriginal tradition to use and occupy the Park to use and occupy it;
- (d) to ensure adequate protection of sites of spiritual or other importance in accordance with Aboriginal tradition in the Park;
- (da) to enter into agreements with the traditional Aboriginal owners of the Park in relation to the control and management by the Board of land outside the Park in respect of which those owners are also the traditional Aboriginal owners; and
- (e) the other functions in relation to the Park or other land imposed on the Board by or under this Act, the lease, the plan of management or an agreement under paragraph (da).

**17 Functions of Commission**

The functions of the Commission in relation to the Park include, on behalf of and subject to the directions of the Board:

- (a) to facilitate the preparation of plans of management; and
- (b) to control and manage the Park in accordance with this Act and the plan of management.

**18 Powers**

- (1) Subject to this Act, the lease and the plan of management, the Board and the Commission have, in relation to the Park, the power to do all things that are necessary or convenient to be done for or in connection with, or incidental to the performance of, their respective functions and the exercise of their respective powers.

- (2) Without limiting the generality of subsection (1), the Board may:
  - (a) employ staff;
  - (b) obtain the advice and assistance of persons who are expert in any matter with which the Board is concerned; and
  - (c) receive moneys due and payable to it and give a valid discharge for those moneys.

**19 Directions by Chief Minister**

- (1) The Board shall perform its functions and exercise its powers in accordance with such general directions as are given to it in writing by the Chief Minister.
- (2) Subsection (1) does not empower the Chief Minister to give directions relating to:
  - (a) subject to section 20(7)(j), a function specified in section 16(a);
  - (b) a function specified in section 16(c) or (d) or a decision referred to in section 16(b), so far as that decision relates to the protection and enforcement of rights referred to in section 16(c) or the protection of sites referred to in section 16(d); or
  - (c) the contents of any advice, information or recommendation that may be given by the Board to a minister, Department or authority of the Territory, or to the Commonwealth or an authority of the Commonwealth, except for the purpose of protecting the confidentiality of information given to the Board by the Territory or an authority of the Territory.
- (3) Subject to subsection (4), the Chief Minister shall cause a copy of any direction given under subsection (1) to be laid before the Assembly within 6 sitting days of the Assembly after that direction was given.
- (4) A copy of a direction laid before the Assembly in accordance with subsection (3) shall not disclose a matter known to the Chief Minister to be required by Aboriginal tradition to be held sacred or kept secret.

**Part IV Plan of management and control of Park**

**20 Plan of management**

- (1) As soon as practicable after the commencement of this Act or when a new plan of management is required under subsection (5) to be prepared, the Board shall cause to be prepared a draft plan of management for the Park.
- (2) When a draft plan of management has been prepared, the Board shall, by notice in the *Gazette*:
  - (a) state that it has been prepared;
  - (b) invite interested persons to make representations in connection with the draft plan of management by such date, being not earlier than one month after the date of publication of the notice in the *Gazette*, as is specified in the notice;
  - (c) specify an address or addresses at which copies of the draft plan of management may be inspected or purchased; and
  - (d) specify an address to which such representations may be forwarded.
- (3) A person may, not later than the date specified in the notice under subsection (2), make representations to the Board in connection with the draft plan of management and the Board shall give due consideration to all representations so made and, if it thinks fit, alter the draft plan of management as a result.
- (4) The plan of management shall specify a date, being not later than 10 years after the date on which the Park is established, as being the date on which the plan is to cease to have effect and it shall cease to have effect on the date so specified, unless it is sooner revoked.
- (5) The Board shall ensure, so far as is practicable, that on the date on which the plan of



management ceases to have effect under subsection (4) or is revoked, or as soon as practicable thereafter, a new plan of management comes into operation and this section applies as if the proposed new plan of management were the first plan of management to be prepared after the commencement of this Act.

- (6) The plan of management prepared in pursuance of subsection (1) shall set out a detailed description of the manner in which it is proposed that the Park shall be managed and shall include a general description of all existing or proposed buildings, structures, facilities or other developments on the Park.
- (7) In the preparation of the plan of management, regard shall be had to:
  - (a) the protection of areas and things of significance to Aboriginals;
  - (b) the limitations, if any, imposed by Aboriginal tradition on the use of any part of the Park;
  - (c) the encouragement and regulation of the appropriate use, appreciation and enjoyment of the Park;
  - (d) the preservation of the Park in its natural condition and the protection of its special features, including objects and sites of spiritual, biological, historical, palaeontological, archaeological, geological and geographical interest;
  - (e) the protection, conservation and management of native flora and fauna within the Park and the natural environment generally;
  - (f) the protection of the Park against damage;
  - (g) the employment and training of Aboriginals;
  - (h) the functions of the Commission under other laws of the Territory;
  - (j) such other matters as the Chief Minister directs; and
  - (k) such other matters as the Board thinks fit.
- (8) Before forwarding the plan of management to the Minister, the Board shall satisfy itself that the objectives and proposed actions set out in the plan are consistent with subsection (7) and in accordance with priorities determined by the Board.
- (9) When the plan of management has been prepared, the Board shall, with the consent in writing of the Jawoyn Association given by authority of a resolution of the Association, forward the plan to the Minister for tabling in the Legislative Assembly.
- (10) The Minister shall, as soon as practicable after receiving the plan of management forwarded under subsection (9), cause it to be tabled in the Legislative Assembly.

## **21 Consideration of plan of management by Assembly**

- (1) For the purposes of this section and section 22, ***plan of management*** includes part of the plan of management, and where under this section a part only of the plan of management is disallowed, the plan of management with that part omitted shall come into operation as provided by subsection (3) and the part disallowed shall be dealt with in accordance with this section as a separate amending plan of management.
- (2) Subject to subsection (3), the Legislative Assembly may, in pursuance of a motion, notice of which is given within 5 sitting days of the Assembly after the plan of management has been tabled in the Assembly, pass a resolution disallowing the plan of management.
- (3) Subject to subsection (4), if no notice of a motion to disallow a plan of management is given within the time referred to in subsection (2) or the Legislative Assembly does not pass a resolution in accordance with that subsection disallowing the plan of management, the plan of management comes into operation on the day immediately following the fifth sitting day referred to or on the day immediately following the last day on which such a resolution could have been passed, as the case may be.

- (4) If, before the expiration of 5 sitting days after a plan of management has been tabled in the Legislative Assembly:
  - (a) the Assembly expires or is prorogued; and
  - (b) notice of motion for the disallowance of the plan of management has not been given, the plan of management shall, for the purposes of this section, be deemed to have been laid before the Legislative Assembly on the first sitting day of the Assembly after the expiration or prorogation.
- (5) If the Legislative Assembly passes a resolution, in accordance with subsection (2), disallowing a plan of management, the Minister shall direct the Board to prepare a fresh plan of management and the Board shall thereupon reconsider the matter and prepare a fresh plan of management or again forward to the Minister the same plan of management, and in relation to the preparation of or dealing with the fresh plan of management, or with the same plan of management again forwarded to the Minister, as the case may be, subsections (2), (3) and (4) and section 20 (other than subsections (2) and (3) of that section) apply as though the plan of management were the first plan of management prepared for the Park.
- (6) Where a plan of management disallowed by the Legislative Assembly is again forwarded under subsection (5) to the Minister and is again disallowed by the Legislative Assembly, the Minister shall forward it, at the Minister's option, to either an Aboriginal Land Commissioner appointed under the Land Rights Act or a panel of 3 persons appointed under subsection (7) who shall consider it and make recommendations to the Minister and the Board on possible ways of resolving the differences between the Legislative Assembly and the Board in relation to the plan of management and, if thought necessary, suggest amendments to the plan of management.
- (7) For the purposes of subsection (6), the Minister may appoint a panel of 3 persons, each of whom, in the opinion of the person or persons nominating the person, is suitably qualified and in a position to deal with the matter impartially, of whom:
  - (a) one shall be appointed on the nomination of the Board;
  - (b) one shall be appointed on the Minister's own nomination; and
  - (c) one shall be appointed on the nomination of the persons appointed under paragraphs (a) and (b).
- (8) The Aboriginal Land Commissioner or members of the panel, in carrying out the function referred to in subsection (6), may obtain information, in whatever manner he, she or they thinks fit, about any fact he or she considers, or they consider, relevant to the consideration of the plan of management.
- (9) The Minister shall, at the request of the Board, table in the Legislative Assembly the recommendations made under subsection (6) and the tabling of those recommendations shall be deemed to be the tabling under section 20 of the plan of management to which the recommendations relate, amended in accordance with those recommendations, and this section applies as though it were the first plan of management prepared for the Park.
- (10) As soon as practicable after a plan of management has come into operation, the Minister shall publish a notice in the *Gazette*, and in such newspapers as the Minister thinks fit, stating that the plan of management has come into operation and giving an address where copies of the plan of management may be inspected or purchased.

**22 Amendment, &c., of plan of management**

- (1) Subject to subsection (2), the Board may at any time amend a plan of management, and sections 20(2) to (10) (inclusive) and 21 apply in relation to such an amendment in the same manner as they apply in relation to the plan of management.
- (2) A plan of management shall not be amended so as to extend the period of operation of the plan to a date later than the date specified under section 20(4).

- (3) A plan of management may not be revoked except by a new plan of management, but the revocation shall not take effect until the new plan of management comes into operation.

**23 Access to Park**

- (1) Except as prohibited, restricted or regulated by or under this Act, the plan of management or any other law in force in the Territory, any person may enter and remain in the Park.
- (2) The *Aboriginal Land Act* does not apply to or in relation to the Park.

**24 Actions not to be taken except in accordance with Act, lease or plan of management**

- (1) Where no plan of management is in force, the Board and the Commission may perform their respective functions in and in relation to the Park for the purposes of preserving, protecting and managing it.
- (2) While a plan of management is in force, the Board, the Commission and the Corporation shall perform their functions and exercise their powers in and in relation to the Park in accordance with the plan of management.
- (3) A person having a right to carry on business or do work in the Park by arrangement, agreement or contract with the Board or the Commission shall carry on that business or do that work in such manner as not to contravene the plan of management.

**Part V By-laws**

**25 By-laws**

- (1) The Board may make by-laws for the Park, not inconsistent with this Act, any other law of the Territory, the lease or the plan of management, prescribing all matters:
  - (a) required or permitted by this Act or the plan of management to be prescribed by by-laws; or
  - (b) necessary or convenient to be so prescribed for carrying out or giving effect to the functions and powers of the Board and the Commission.
- (2) Without limiting the generality of subsection (1), but subject to subsection (3), by-laws may be made:
  - (a) providing for the regulation or the prohibition of fishing;
  - (b) providing for the regulation or prohibition of the use of firearms;
  - (c) providing for the regulation or prohibition of the setting of traps;
  - (d) providing for the requiring of persons, on entering the Park, to declare all items of fishing equipment, firearms, ammunition and traps in their possession;
  - (e) providing for the regulation or prohibition of the carrying of fishing equipment, firearms, ammunition and traps;
  - (f) providing for the seizure of fishing equipment, firearms, ammunition and traps reasonably suspected of being carried or used in contravention of a by-law or the plan of management;
  - (g) regulating or prohibiting the pollution of water;
  - (h) providing for the protection and preservation of the Park and property and things in the Park;
  - (j) providing opening times and closing times for access to the Park by persons who are not Aboriginal traditional owners or Aboriginals entitled by Aboriginal tradition to the use or occupation of the Park;
  - (k) regulating or prohibiting access to the Park by persons or classes of persons;
  - (m) providing for the removal from the Park of persons who are believed, on reasonable grounds, to be trespassers or to have contravened or failed to comply with a provision

- of this Act, a by-law or the plan of management;
- (n) regulating or prohibiting camping;
- (p) providing for the safety of persons;
- (q) regulating or prohibiting the use of fire;
- (r) regulating the conduct of persons;
- (s) providing for the prevention or control of nuisances;
- (t) regulating or prohibiting the carrying on of trade or commerce;
- (u) providing for fees and charges to be imposed on persons, (who are not Aboriginal traditional owners or Aboriginals entitled by Aboriginal tradition to the use or occupation of the Park) entering, camping on or using the Park or using services or facilities provided by or on behalf of the Board;
- (w) regulating or prohibiting the use of vehicles and providing for signs and road markings for those purposes;
- (y) regulating or prohibiting, and providing for the imposition and collection of charges for:
  - (i) the parking or stopping of vehicles;
  - (ii) the mooring of vessels;
  - (iii) the use of vehicles and vessels; and
  - (iv) the landing of aircraft;
- (z) providing for the removal of vehicles, vessels or aircraft from places where they have been left in contravention of the By-laws or have been abandoned and for the impounding of such vehicles, vessels or aircraft;
- (za) making provision to the effect that, where a contravention of a provision of the By-laws relating to the parking or stopping of vehicles occurs in respect of a motor vehicle, the person who is to be regarded as the owner of the motor vehicle for the purposes of the By-laws (who may, in accordance with the By-laws, be or include a person in whose name the motor vehicle is registered under a law of the Territory) is to be deemed to have committed an offence against the provision so contravened, whether or not that person in fact contravened that provision;
- (zb) enabling a person who is alleged to have contravened a provision of the By-laws relating to:
  - (i) littering;
  - (ii) the use of vehicles or vessels;
  - (iii) the parking or stopping of vehicles;
  - (iv) the mooring or landing of vessels; or
  - (v) the landing, use or flying of aircraft, to pay to the Board, as an alternative to prosecution, a specified sum in lieu of the penalty by which a contravention of that provision is otherwise punishable;
- (zc) regulating or prohibiting the use of vessels on, and the passage of vessels through, the Park and the landing and use of aircraft in, and the flying of aircraft over, the Park;
- (zd) regulating or prohibiting the taking of animals or plants into or out of the Park and providing for the control of animals in the Park;
- (ze) providing for the impounding, removal, destruction or disposal of animals found straying in the Park;
- (zf) regulating or prohibiting the laying of baits and the use of explosives and poisons in

- the Park;
- (zg) providing for the collection of specimens and the pursuit of research for scientific purposes in the Park;
  - (zh) regulating the consumption of alcoholic liquor in the Park; and
  - (zj) providing for any matter incidental to or connected with any of the foregoing.
- (3) Subject to subsection (4), a by-law shall not prohibit or regulate the use by a traditional Aboriginal owner of the Park or an Aboriginal entitled by Aboriginal tradition to the use or occupation of the Park, or prohibit that person from having in the person's possession or using, any trap, net or fishing equipment used or intended to be used by the person (unless used or intended to be used for the taking of animals or fish for the purposes of sale) in connection with the exercise of the person's right to use and occupy the Park or a part of the Park.
- (4) Where the Board is satisfied that a protected animal or plant is in danger of extinction, it may, for the purpose of protecting that animal or plant or its habitat, by by-law, regulate or prohibit the hunting or taking of that animal or plant and the use of the habitat of that animal or plant, by a traditional Aboriginal owner or an Aboriginal entitled by Aboriginal tradition to the use or occupation of the Park.
- (5) A provision of the By-laws regulating or prohibiting the flying of aircraft over the Park does not have any force or effect to the extent to which it is inconsistent with a law of the Commonwealth or the Territory, but such a provision shall not be taken for the purposes of this subsection to be inconsistent with such a law if it can be complied with without contravention of that law.
- (6) The power to make By-laws conferred by this Act may be exercised:
- (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases; and
  - (b) so as to make, in respect of cases in relation to which it is exercised, the same provision for all those cases or different provisions for different cases or classes of cases.
- (7) The power to make By-laws conferred by this Act shall not be taken, by implication, to exclude the power to make provision for or in relation to a matter by reason only of the fact that:
- (a) a provision is made by or under this Act in relation to that matter or another matter; or
  - (b) power is expressly conferred by or under this Act to make provision by by-laws for or in relation to another matter.
- (8) The By-laws may provide, in respect of an offence against or under this Act or the By-laws, for the imposition of a fine:
- (a) not exceeding \$5,000; or
  - (b) not exceeding \$1,000 for each day during which the offence continues.
- (9) In proceedings for an offence against a by-law, an averment of the prosecutor, contained in the information or complaint that, at a specified time a person was in the Park or a particular part of the Park to which the by-law relates, is prima facie evidence of that fact.
- (10) A prosecution for an offence against a by-law shall not be commenced except with the written authority of the Board or its Chairman, or the Director of Parks and Wildlife.

**Part VI Financial arrangements**

**26 Audit, &c., provisions**

- (1) The Board shall, within the period of 6 months immediately following the end of the financial year or such other period as the Minister determines, prepare a report on its operations during the financial year and forward it to the Minister.
- (2) The Minister shall table the report under subsection (1), together with the financial statement and report of the Auditor-General on the financial statement required pursuant to subsection (3), in the Legislative Assembly within 6 sitting days of the Assembly after the delivery of the later of the reports to the Minister.
- (3) Subject to subsection (2), section 10 of the *Financial Management Act* applies to and in relation to the Board as if its activities were a Government Business Division within the meaning of that Act.
- (4) For the purposes of the application of section 10 of the *Financial Management Act* as referred to in subsection (3), the Board shall nominate an employee of the Commission to be its Accountable Officer.

**27 Park income**

Money received by the Board or the Corporation in respect of:

- (a) the use or occupation of the Park;
- (b) the carrying out of an activity in the Park; or
- (c) the carrying on of any business or works in the Park, shall be paid to the Commission and, together with moneys otherwise paid to the Commission in respect of any of those purposes, shall be held by the Commission on behalf of the Board.

**28 Park expenditure**

- (1) Money payable by the Board or the Corporation in relation to the Park or the administration of the Board shall be advanced by the Commission.
- (2) The Board shall not expend money to meet its administrative costs otherwise than in accordance with estimates of expenditure approved by the Minister.

**Part VII Miscellaneous**

**29 Territory Parks Act provisions to apply**

- (1) Parts IV and VIII and sections 113, 115, 118, 119, 120 and 121 of the Territory Parks Act apply to and in relation to the Park as though it were a park within the meaning of that Act.
- (2) Regulations and By-laws made under the Territory Parks Act apply to and in relation to the Park as though it were a park within the meaning of that Act, to the extent that they are not inconsistent with the plan of management or a by-law made under this Act.

**30 Reservations revoked**

- (1) All reservations under the *Crown Lands Act* relating to the Park or a part of the Park and in force immediately before the commencement of this Act are, on the commencement of the lease, revoked.
- (2) Where a reservation referred to in subsection (1) was for historic interest or historic purposes, all buildings, structures, foundations, walls, excavations, objects or things on the land the subject of the reservation shall be protected and preserved as though the land continued to be subject to a reservation for historic interest or historic purposes, and the plan of management shall, accordingly, provide for such protection and preservation.

**31 Existing arrangements**

- (1) All arrangements, agreements and contracts referred to in Schedule 2, whether or not the rights, liabilities or obligations under them could be assigned, shall have effect as if the Board

were a party to or affected by them instead of the Commission and shall continue in force and apply according to their tenor, except to the extent that they are inconsistent with this Act.

- (2) Any renewal of an arrangement, agreement or contract referred to in subsection (1), or any arrangement, agreement or contract pursuant to which concessions are given or businesses or activities may be carried on in or concerning any part of the Park, shall, subject to section 32, be made with the Board.
- (3) An arrangement, agreement or contract referred to in subsection (1) shall not be renewed, whether pursuant to an option contained in such arrangement, agreement or contract or otherwise, otherwise than pursuant to powers given by or under this Act.

**32 Future concessions and leases**

Where the plan of management so provides, the Board, subject to the Land Rights Act, may instruct the Commission or the Corporation to grant an estate or interest or issue a licence in respect of activities on land in the Park in accordance with the plan of management and, subject to that Act, the Commission or the Corporation, as the case may be, shall grant that estate or interest or issue that licence accordingly.

**33 Area to be surrendered from lease for Aboriginal cultural centre**

- (1) Notwithstanding any other provision of this Act, the Corporation, on receiving a notice in writing from the Land Council requiring it to do so, shall surrender such area of land within the Park as is specified in the notice and is reasonably necessary for the purposes of the erection or development of an Aboriginal cultural centre.
- (2) An Aboriginal cultural centre to be erected or developed on the area referred to in subsection (1) shall be provided for in, and developed and managed in accordance with, the plan of management.

## Appendix 2: Memorandum of Lease

### THE NORTHERN TERRITORY OF AUSTRALIA

### MEMORANDUM OF LEASE

### TABLE OF PROVISIONS

Clause

### RECITALS

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2. Reservation of Traditional Rights to Use and Occupy
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#### Part II Provisions

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26. Definitions



**THE NORTHERN TERRITORY OF AUSTRALIA**

**MEMORANDUM OF LEASE**

JAWOYN ABORIGINAL LAND TRUST being A Land Trust established pursuant to subsection 4(1) of the Land Rights Act (*the Lessor*)

BEING the proprietor of an estate in fee simple in ALL THAT piece or parcel of land in the Northern Territory of Australia containing an area of A square kilometres more or less being Portion B more particularly shown on Compiled Plan C and being all that land described in the Deed of Grant in the Register Book Volume D, Folio E (*the Land*)

AND having received written directions from the Land Council pursuant to the provisions of the Land Rights Act, those written directions having been given by the Land Council on its being satisfied that:

- A. the traditional Aboriginal owners of the Land understand the nature and purpose of this lease, and as a group, consent to it;
- B. the Aboriginal communities and groups which may be affected by this lease have been consulted and have had adequate opportunity to express their views to the Northern Land Council; and
- C. the terms and conditions of this lease are reasonable.

HEREBY GRANTS to the CONSERVATION LAND CORPORATION (*the Lessee*) care of Conservation Commission, Baywood Building, Mansfield Place, Palmerston, in the Northern Territory of Australia, a lease of that part of the land being the land described in the annexure to this lease and shown and delineated on the plan forming part of that annexure (*the park*),

TO BE HELD by the Lessee for the purpose of the Act and subject to and in accordance with the following encumbrances, reservations, provisions, covenants and conditions:

Part I Reservations

**Reservation of Right of Entry and Inspection**

1. The Lessor reserves a right in favour of the Chairman of the Lessor or any person authorized in writing by the Land Council, at all reasonable times and in any reasonable manner, to enter upon the park or any part of it and to inspect the park and any improvements on the park, subject to such reasonable constraints as may be contained in the plan of management for reasons of safety, security, privacy, or protection of the park.

**Reservation of Traditional Rights to Use and Occupy**

2. (1) An Aboriginal or group of Aboriginals is entitled to enter upon the park to the extent that that entry, occupation or use is in accordance with Aboriginal tradition governing the rights of that Aboriginal or group of Aboriginals with respect to that land, whether or not those rights are qualified as to place, time, circumstance, purpose, permission or any other factor.
- (2) Without limiting the generality of clause 2(1) the Lessor reserves in favour of relevant Aboriginals and groups of relevant Aboriginals the following rights, which shall operate subject to the directions or decisions of the Board with respect to health, safety or privacy,
  - (a) the right to use any area of the park for hunting or food gathering (otherwise than for purposes of sale);
  - (b) the right to use any area of the park for ceremonial and religious purposes; and
  - (c) the right to reside within the park at such locations as may be specified in the plan of management, together with rights of access and residence for their families, employees, staff, invitees and agents.

**Reservation of Requirement to Surrender Area for Cultural Centre**

3. The Lessor reserves the right subject to clause 11(b) to require the Lessee, upon notice in writing given by the Land Council to the Lessee, to surrender such area of land within the park as is specified in the notice and is reasonably necessary for the purpose of development of an Aboriginal cultural centre.

**Part II Provisions**

**Commencement**

4. The lease shall commence on the date on which it is executed.

**Term**

5. The lease shall be for a term of ninety nine (99) years.

**Financial Arrangements**

6. (1) The Commission, on behalf of the Lessee, shall pay to the Land Council on behalf of the Lessor:
- (a) an annual rent of \$100,000.00 which amount shall be payable in advance; and
  - (b) 50% of park revenue which amount shall be payable quarterly calculated by reference to the revenue obtained in respect of the previous 3 months.
- (2) In this clause **park revenue** includes:
- (a) receipts from any fees or charges, for entering, camping on or using the park, or using the services or facilities provided by or on behalf of the Board, imposed pursuant to subsection 21(2)(u) of the Act; and
  - (b) monies received by the Board, the Lessee or by the Commission or by the Northern Territory, pursuant to the grant of any estate or interest in the park dependent on the Lessee's interest or pursuant to any licence, concession, permit or other authority granted by the Board, the Lessee or the Commission within the park.

**Rent Review**

7. (1) The annual rent to be paid under clause 6(a) shall be renegotiated in accordance with this clause on the third anniversary of the commencement date and thereafter at three yearly intervals during the term of this lease (**the review dates**).
- (2) Negotiations for each review referred to in subclause (1) shall be commenced within 3 months before the relevant review date.
- (3) If the Lessor and the Lessee fail to agree upon the annual rent to be paid on and from a review date (**the new rent**) the disagreement will be referred to arbitration in accordance with the *Commercial Arbitration Act* of the Northern Territory by a person appointed jointly by the parties, being a person suitably qualified and in a position to deal with the matter impartially.
- (4) Subject to subclause (5), the arbitrator shall determine a new rent that is fair and reasonable and that in the arbitrator's opinion should have been negotiated between the parties in commercial arms length negotiations conducted in good faith and shall take into account all relevant factors including but not limited to:
- (a) movements in the Consumer Price Index for Darwin (all groups) published by the Australian Bureau of Statistics;
  - (b) visitation rates and other indicators of park usage; and
  - (c) park revenue, but not including capital improvements within the Park or directly associated with the park.
- (5) Notwithstanding anything in this clause:
- (a) a new rent shall be not less than:
    - (i) an amount calculated by multiplying the annual rate payable at the commencement of this lease (the **base rental**) by the fraction  $N1/B1$  where,  $N1$  refers to the Consumer Price Index for Darwin (all groups) published by the Australian Bureau of Statistics (**the Bureau**) in respect of the quarter

immediately preceding the particular review date; and

B1 is the Consumer Price Index for Darwin (all groups) published by the Bureau in respect of the quarter immediately proceeding the commencement of the lease; or

- (ii) where there is a change in the basis of assessment of the Consumer Price Index for Darwin (all groups) or if its calculation has been suspended or discontinued, an amount calculated to provide as nearly as practicable the same adjustments as if the Consumer Price Index referred to in subclause (1) has been continued without variation (**Consumer Price Index equivalent**) and the determination shall be final and binding upon the parties; and
  - (b) the Lessee shall not be entitled to any reduction in rent in the event of a decrease in the Consumer Price Index or Consumer Price Index equivalent since the previous review date.
- (6) In the event that a new rent has not been agreed or determined in accordance with this clause prior to the date for payment of the new rent, the Lessee shall, in the interim, pay on account of rent an amount equal to the rent paid for the previous year and upon agreement or determination of the new rent the Lessee shall forthwith pay any adjustment required in relation to the new rent.

### **Part III Covenants and conditions**

#### **Lease Conditional upon Act**

8. This Lease is conditional upon the commencement of the Act.

#### **Amendment of Act Constitutes Breach**

9. (1) The Lessor and Lessee agree that the enactment of any amendment to the Act, or the enactment of any Act or the making of any regulations inconsistent with this lease, where such Act is or such regulations are applicable to the park and substantially detrimental to the interests of the lessor or relevant Aboriginals as regards the administration, management or control of the park shall be deemed to be a breach of this lease for which the lease, on one hundred and eighty (180) days notice in writing given by the Lessor to the Lessee, may be terminated.
- (2) Where a notice is given as provided in clause 9(1) the Lessor and representatives of the Land Council, and the Lessee and representatives of the Commission shall within the period of notice, enter into bona fide negotiations with a view to the grant of a new lease.
- (3) Where, within twenty eight (28) days after the enactment of any Act or the making of any regulations as referred to in clause 9(1), a notice is not given as provided in that subclause, then the Lessor, representatives of the Land Council and the Lessee shall meet to discuss whether to vary any provisions of this lease including the rent.

#### **Park to be Managed in Accordance with the Act**

10. (1) The park shall be subject to administration, management and control in accordance with the Act and with the plan of management that is and by laws that are from time to time in force in relation to the park pursuant to the Act.
- (2) The Lessee and the Commission, to the extent of their respective powers and functions shall use their best endeavours to ensure that the flora, fauna, cultural heritage and natural environment of the park shall be preserved, managed and maintained according to the best comparable management practices established for national parks anywhere in the world.

#### **Lessee's Covenants**

11. The Lessee and the Commission, to the extent of their respective powers and functions, covenant:
- (a) to take all practicable steps to ensure compliance by all persons with the Act,

- regulations under the Act, this lease and the plan of management;
- (b) not to transfer, assign, sublet or part with the possession of the park, or any part of the park without the consent in writing of the Lessor and except in accordance with the plan of management;
  - (c) to pay the Land Council's and the Land Trust's reasonable costs of and incidental to the preparation, execution, registration and stamping of this lease agreed and assessed at \$30,000.00, and in addition, to pay all registration fees and stamp duty payable in connection with this lease;
  - (d) to pay all rates and taxes which may at any time become due in respect of the park;
  - (e) to carry all of the risk as self-insurer in respect of the timely reinstatement to full value of any of the improvements in the park which may be damaged or destroyed without the consent of the Lessor, being improvements existing at the date of the commencement of this lease and such other improvements as may be made, except such improvements in respect of which there exists a contract of insurance insuring the risk to the extent of liability imposed upon the Lessee under paragraph (c);
  - (f) to carry all of the risk as self-insurer as occupier of the park as regards any liability to any third person;
  - (g) as far as is practicable, to make good any damage to the park (other than improvements) being damage caused by the Lessee or by the Commission or by their respective servants, agents or invitees except where the damage to the park was occasioned with the consent of the Lessor or of the Board;
  - (h) to comply with all Acts, regulations and other laws otherwise applicable to the park;
  - (i) to have regard in the performance of their respective functions in relation to the park, to such priorities in allocating financial and other resources as are provided in the plan of management or determined from time to time by the Board;
  - (j) to promote and protect the interests of relevant Aboriginals as a group;
  - (k) to promote the protection of sacred sites and other areas and things of significance to relevant Aboriginals;
  - (l) to encourage the maintenance of the Aboriginal tradition of relevant Aboriginals;
  - (m) to take all practicable steps to promote Aboriginal involvement in the administration, management and control of the park;
  - (n) subject to the plan of management, to engage as many relevant Aboriginals as is practicable to provide services in and in relation to the park;
  - (o) to utilize without limiting the generality of the foregoing the traditional skills of Aboriginal individuals and groups in the management of the park;
  - (p) subject to the plan of management, to encourage Aboriginal business and commercial initiatives and enterprises within the park;
  - (q) to regularly consult and liaise with the Jawoyn Association or with such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association, in connection with the control and management of the park;
  - (r) to consult with and have regard to the views of the Jawoyn Association or such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association in respect of the formulation of any educational and interpretive policy in relation to the park;
  - (s) as far as practicable and subject to the plan of management, to provide such capital equipment and machinery as is reasonably required for the adequate maintenance of roads and all other facilities and improvements constructed by or on behalf of the Board or the Commission;

- (t) after consultation with and having regard to the views of the Jawoyn Association and such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association, and subject to the plan of management, to implement a licencing and induction scheme for tour operators and other persons carrying on commercial activities in the park;
- (u) subject to the plan of management and the Act, to use their best endeavours to collect fees or charges, if and when imposed for entering and camping on the park, or using the services or facilities provided by or on behalf of the Board and to ensure such fees and charges are properly accounted for on an audited basis;
- (v) subject to the plan of management, to permit an officer or officers of the Land Council to enter and move freely in the park for the purpose of performing on behalf of the Land Council the statutory powers or functions of the Land Council; and
- (w) to use their best endeavours to promote among visitors to the park and residents of Katherine a knowledge and understanding of and respect for the traditional languages, culture, customs and skills of relevant Aboriginals and to arrange for appropriate instruction in connection with such matters to be given, to the extent that it is reasonably practicable, by Aboriginals engaged for the purpose.

#### **Quiet Enjoyment**

12. The Lessee paying the rent hereby reserved and observing and performing the covenants on its part and the conditions contained in this lease, subject to this lease, shall during the whole of the term quietly enjoy the park without any interruption or disturbance by the Lessor or any person claiming by, from, under or in trust for the Lessor.

#### **Lessee's Indemnity**

13. The Lessee and the Commission shall indemnify the Lessor, its servants, agents or invitees (to the extent that the Lessor, its servants, agents or invitees is not or are not negligent) against all actions and claims whatsoever that may be brought, made or prosecuted against the Lessor, its servants, agents or invitees in respect of any action or claim arising out of any action or omission (whether negligent or otherwise) of the Lessee, its servants, agents or invitees in or in relation to the park.

#### **Termination**

14. The lease may be terminated:
- (a) in writing at any time with the agreement of both the Lessor and the Lessee; or
  - (b) pursuant to clause 9, but not otherwise.

#### **Variation**

15. (1) The Lessor and the Lessee may from time to time by agreement in writing add to, substitute for, cancel or vary any of the provisions of this lease.
- (2) The Lessee shall at least once every five (5) years meet with the representatives of the Lessor and the Land Council to review the provisions of the lease excepting the term, and if the Lessor and the Lessee agree upon any variation of the lease, the Land Council shall direct the Lessor to execute any or all documents necessary or desirable to give full effect to the variation.

#### **Parties to Negotiate 5 years Before Expiry**

16. The Lessor and the Lessee agree that they will negotiate for the renewal or extension of the term of this lease not later than five (5) years before it expires.

#### **Training and Employment**

17. The Lessee and the Commission agree subject to decisions of the Board:

- (a) to implement an Aboriginal training programme the broad objectives of which are agreed with the Jawoyn Association or such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association, comprising training in skills relevant to the administration, planning, management and control of the park;
- (b) to employ persons in the park in appropriate positions having regard to qualifications acquired in participation in the Aboriginal training programme;
- (c) to employ training officers in the park wherever necessary, and to give due consideration in the employment of such officers to suitably qualified Aboriginal persons having regard to the objective of the parties to maximize Aboriginal employment in the park;
- (d) to provide appropriate and reasonable resources (including staff, training facilities and accommodation) for Aboriginal trainees;
- (e) in the Aboriginal training programme and in the management of the park to emphasise Jawoyn social and cultural values and land management practices;
- (f) to take all practicable steps to make provision for traditional obligations in determining working hours and conditions;
- (g) to give preference to Aboriginal people, companies and organizations when issuing leases, licences, contracts, or making available casual or temporary employment subject to any law in force in the Northern Territory;
- (h) notwithstanding any other paragraph of this clause but subject to the Board being satisfied that it is attainable, the Commission shall within five (5) years of the commencement of this lease employ Aboriginal people in at least 25% of positions in the park; and
- (i) to actively seek to achieve that at the earliest practicable opportunity during the term of this lease the majority of permanent employment positions in the park are held by suitably qualified Aboriginals.

#### Funding

18. (1) Subject to the Act the Commission shall from moneys lawfully available to the Commission pay to the Board such moneys as are reasonably required for the administration of the Board and, for the payment of any expenses incurred by members of the Board in the performance of their duties (***the administrative costs of the Board***).
- (2) This clause does not have operation to the extent that the administrative costs of the Board are met from another source or sources, including an appropriation by the Northern Territory.

#### Staffing

19. (1) The Lessee and the Commission will at all times use their best endeavours to maintain staff within the park at the level and designations of staff requirements provided for in the plan of management.
- (2) The Lessee and the Commission agree to consult with and have regard to the views of the Jawoyn Association, or such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association, concerning the procedures for and the selection and appointment of any permanent staff where the duties and functions of such staff will involve substantial involvement with day to day administration, management or control of the park and in particular shall include a person nominated by the Jawoyn Association on any selection panel appointed in relation to such appointments.
- (3) Notwithstanding clause 19(2) employment of all persons having day to day responsibility in the administration and management of the park shall be subject to the approval of the Board.

- (4) The Commission agrees to ensure that from time to time (but no later than six (6) months after commencement of duties of any member of the park staff) each member of the park staff involved in administration, planning, management and control of the park attends a cross-cultural course the broad objectives of which are agreed with the Jawoyn Association or such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association.

#### Research and Information

20. (1) The Lessee and the Commission agree to permit and direct persons from time to time chosen by the Commission, after consultation with the Jawoyn Association or such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association, being persons employed by the Commission or under its authority, to assist the Jawoyn Association or such agent or representative of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association in respect of any reasonable programme involving the identification and recording of Aboriginal sacred sites within the park.
- (2) The Commission shall provide reasonable equipment and facilities for persons who are in accordance with subclause (1) permitted and directed to assist in the identification and recording of Aboriginal sacred sites within the park.
- (3) The Lessee and the Commission agree to make available to the Chairman of the Jawoyn Association, or any person authorized in writing by the Jawoyn Association, access to all information relating to the park including research reports sponsored, procured or supported by the Lessee or the Commission that is in the possession of the Lessee or the Commission other than information that would be privileged from production in litigation and information the disclosure of which would, in the opinion of the Lessee, involve an unreasonable invasion of the privacy of an individual.

#### Disposal of Park Equipment

21. (1) Subject to any lawful obligation imposed upon the Lessee by a Law of the Northern Territory, if at any time during the term hereof the Lessee is desirous of disposing of its interest in any property or equipment of the Lessee used in the operation of the park, the Lessee shall give to the Lessor for the benefit of the Lessor, the Land Council or its nominee, any relevant Aboriginal association and any other incorporated body the membership of which is limited to relevant Aboriginals or groups of relevant Aboriginals (in this clause referred to as the **permitted Aboriginal purchaser**) the right of the first refusal to purchase the said property or equipment or any part thereof subject to the following terms and conditions:
  - (a) the Lessee shall give notice in writing to the Land Council of the Lessee's intention to dispose of any such property or equipment. The notice shall constitute an offer by the Lessee to sell any such property or equipment to a permitted Aboriginal purchaser for the purchase of the Lessee's interest therein, which consideration shall not impose any more onerous obligation or duty upon the permitted Aboriginal purchaser or require the permitted Aboriginal purchaser to pay any greater pecuniary sum than the Lessee would impose upon or require from a purchaser other than a permitted Aboriginal purchaser;
  - (b) within twenty eight (28) days after giving of the notice a permitted Aboriginal purchaser may give notice in writing to the Lessee of acceptance or rejection of the Lessee's offer to sell;
  - (c) in the event of the giving of a notice of acceptance there shall be deemed to be a binding contract for sale by the Lessee and purchase by the permitted Aboriginal purchaser of the Lessee's interest in the said property or equipment for the consideration stated in the Lessee's notice;
  - (d) the purchase price shall be paid within twenty eight (28) days from the date on which the notice of acceptance is given to the Lessee or within such other period or upon such terms as may be agreed between the parties to the contract for sale; and

(e) in the event that a notice of acceptance is not given, the Lessee shall then be at liberty to sell the said property or equipment by private contract to any other person for a sum being not less than that specified in the notice in writing given pursuant to clause 21(1)(a) or by public auction.

(2) In this clause **Lessee** means the Lessee or the Commission, as the case may be.

**Developments in the Park**

22. (1) Subject to decisions of the Board the Lessor and the Lessee agree that the Commission and the Jawoyn Association or such agents or representatives of the Jawoyn traditional Aboriginal owners as may be nominated by the Jawoyn Association shall meet from time to time to formulate written policy in respect of environmental evaluation of proposed developments in the Park.

(2) A proposed development shall not take place except in accordance with the policy formulated under this clause.

**Service of Notices, &c.**

23. (1) Any notice, request, consent, approval or other communication (in this clause called a **communication**) to be given under this lease shall be in writing addressed as follows:

If to the Lessor -  
Jawoyn Aboriginal Land Trust  
C/- Northern Land Council  
47 Stuart Highway  
STUART PARK NT 0820  
Telex: NLC AA85042  
Facsimile: (089) 816-899

STUART PARK NT 0820  
Telex: NLC AA85042  
Facsimile: (089) 816-899

If to the Board -  
As notified in writing by the Board,

If to the Lessee -  
Conservation Land Corporation  
C/- Conservation Commission of the N.T.  
P.O. Box 496  
PALMERSTON NT 0831  
Telex: AA81191

If to the Jawoyn Association -  
As notified in writing by the Jawoyn Association, or to such other address as the relevant party or body may nominate by notice to each other party or body

If to the Commission -  
Conservation Commission of the N.T.  
Bayward Building  
Mansfield Place  
PALMERSTON NT 0831

If to the Northern Territory of Australia -  
Minister for Conservation  
Chan Building  
Mitchell Street  
DARWIN NT 0800  
Telex: AA85253

If to the Northern Land Council -  
Chairman  
Northern Land Council  
47 Stuart Highway



- (2) Each communication shall be delivered by hand, or mailed by pre-paid registered post, or sent by telex, telegram or facsimile transmission, to the address of the party or body to which it is being given and shall be deemed to have given:
- (a) if received before 4.00 pm on a business day – when it is received; and
  - (b) if received at any other time – on the business day next following the day of receipt.

**Governing Law**

24. (1) This lease shall be governed by and construed in accordance with the laws in force in the Northern Territory of Australia.
- (2) The parties agree that, except as provided in clause 7, the *Commercial Arbitration Act* does not apply to this lease and that this lease (except for clause 7) is not an arbitration agreement for the purposes of that Act.

**Northern Territory of Australia, Conservation Commission and Land Council agree to be bound**

25. The Northern Territory of Australia, the Commission and the Land Council agree to be bound by the terms of this lease.

**Definitions**

- (1) In this lease and in the recitals:

**Aboriginal** means a person who is a member of the Aboriginal race of Australia.

**Aboriginal tradition** has the same meaning as in the Land Rights Act.

**the Act** means the *Nitmiluk (Katherine Gorge) National Park Act*.

**the Board** means the Nitmiluk National Park Board established by section 9 of the Act.

**Commission** means the Conservation Commission of the Northern Territory established by the *Conservation Commission Act*.

**Jawoyn Association** means the Jawoyn Association Aboriginal Corporation.

**Land Council** means the Northern Land Council, or if the boundaries of the Northern Land Council are varied so as to exclude the park from its area, then the Land Council for the area of the park established under the Land Rights Act.

**Land Rights Act** means the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth.

**Land Trust** means an Aboriginal Land Trust constituted under section 4 of the Land Rights Act.

**person** includes a body corporate and any other entity recognized by law.

**plan of management** means the plan of management for the park prepared in accordance with the Act as in force from time to time.

**relevant Aboriginals** means all the traditional Aboriginal owners of the park and the Aboriginals entitled to enter upon or use or occupy the park in accordance with Aboriginal tradition governing the rights of that Aboriginal or group of Aboriginals with respect to the park whether or not those rights are qualified as to place, time, circumstances, purpose, permission or any other factor and the Aboriginals permitted by them to reside in the park.

**relevant Aboriginal Association** means the Jawoyn Association and any other incorporated Aboriginal Association or group whose members are relevant Aboriginals.

**sacred sites** has the same meaning as in the Land Rights Act. and

**traditional Aboriginal owner** has the same meaning as in the Land Rights Act.

- (2) Unless the contrary intention appears this lease shall be interpreted in accordance with the provisions of the *Interpretation Act* of the Northern Territory where applicable, as if this lease were an Act.

**MEMORANDUM OF ENCUMBRANCES**

Nil.

IN WITNESS the parties have executed this lease on this day of 1989.

The CONSERVATION LAND CORPORATION accepts this lease subject to the reservations, provisions, covenants and conditions set out above.

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ALL THOSE parcels of land around Katherine Gorge National Park in the Northern Territory of Australia

FIRSTLY commencing at the southwestern corner of Northern Territory Portion 3470; thence easterly by the southern boundary of that Portion to the western boundary of Pastoral Lease 705 (Eva Valley); thence southerly, westerly, generally southerly and easterly by western, northern, western and southerly boundaries of that Pastoral Lease to its intersection with the meridian of East Longitude 132 degrees 46 minutes 50 seconds; thence south to the parallel of South Latitude 14 degrees 22 minutes 40 seconds; thence southwesterly to the intersection of the meridian of East Longitude 132 degrees 45 minutes 45 seconds with the parallel of South Latitude 14 degrees 24 minutes 20 seconds; thence west to meridian of East Longitude 132 degrees 34 minutes 15 seconds; thence south to the parallel of South Latitude 14 degrees 25 minutes; thence west to the meridian of East Longitude 132 degrees 30 minutes; thence north to the parallel of South Latitude 14 degrees 24 minutes; thence northwesterly to the intersection of the parallel of South Latitude 14 degrees 23 minutes 30 seconds with the meridian of East Longitude 132 degrees 29 minutes 30 seconds; thence north to a southern boundary of Northern Territory Portion 781 (Katherine Gorge National Park); thence westerly and northwesterly by southern and southwestern boundaries of that Portion to its intersection with the right bank of the Katherine River; thence generally southerly and westerly by that right bank to its intersection with the meridian of East Longitude 132 degrees 23 minutes; thence north to the parallel of South Latitude 14 degrees 15 minutes; thence westerly to the intersection of the meridian of East Longitude 132 degrees 15 minutes with the parallel of South Latitude 14 degrees 13 minutes 40 seconds; thence west to an eastern boundary of Northern Territory Portion 3469; thence northerly and northeasterly by eastern and southeastern boundaries of that Portion to the point of commencement.

*(See hard copy for plan of annexure)*

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**SCHEDULE 2**

Section 31

Arrangements with the Commission in force immediately before the commencement of the lease

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|---|--|
| 1. Nature of Concession: Helicopter joy flights<br>Date entered into: 23 March 1989<br>Date of expiry: 31 December 1989<br>Concessionaire: Lynakirst Pty. Ltd.<br>Pty. Ltd. | 2. Nature of Concession: Canoe hire<br>Date entered into: 30 March 1989<br>Date of expiry: 31 December 1989<br>Concessionaire: Kookaburra Canoe Hire |
| 3. Nature of Concession: Launch tour<br>Date entered into: 14 March 1989<br>Date of expiry: 31 December 1989<br>Concessionaire: March Motors Tours Pty. Ltd.                | 4. Nature of Concession: Launch tour<br>Date entered into: 14 March 1989<br>Date of expiry: 31 December 1989<br>Concessionaire: Gorge Caravan Park   |
| 5. Nature of Concession: Takeaway food operation<br>Date entered into: 1 April 1989<br>Date of expiry: 31 December 1989<br>Concessionaire: R and H Gillespie                |  |