



Rainbow Valley Conservation Reserve

Joint Management Plan June 2008



Acknowledgements

This plan is the result of many hours of consultation and planning between the Traditional Owners of Rainbow Valley and Parks and Wildlife rangers, planning and joint management staff. Staff of the Central Land Council, especially the joint management officers have had a vital role, assisting the joint management partners throughout and providing much valued input into the Plan's preparation.

Rainbow Valley Conservation Reserve
Joint Management Plan June 2008

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Message from the Minister

The Rainbow Valley Conservation Reserve is a place of remarkable natural beauty and conservation value. Many are familiar with its image - strikingly coloured sandstone cliffs against a deep blue sky, sometimes perfectly mirrored in a shallow, water-bearing claypan. The reserve attracts about 10,000 visitors each year. Short walks, photography and opportunities to learn about the area's nature and culture typify visitors' experience of this wonderful place. The reserve also conserves some 400 species of plants – remarkable biodiversity for a relatively small reserve. Primary among the values of the reserve however, are its cultural associations. It is a place of enduring cultural significance, a living cultural landscape.



Rainbow Valley is the traditional country of the Upper Southern Arrernte Aboriginal people. Known to the Southern Arrernte as *Wurre*, Rainbow Valley is part of *Imarnte*, the country to which the *Twertentyeye* group of the Southern Arrernte belong. For thousands of years the ancestors of the traditional owners have lived on, cared for, and been provided for, by this land, under their law.

Recent changes to the *Territory Parks and Wildlife Conservation Act* bring exciting new opportunities for joint management partnerships with the Aboriginal traditional owners of Northern Territory parks and reserves. Significantly, the Rainbow Valley Conservation Reserve is the first to have a Joint Management Plan prepared under these changes.

This plan gives authority to Traditional Owners' connection to their country under Territory law as well as their law. It makes clear their aspirations for social development, and their desire to be successful joint managers. The cooperative preparation of this Joint Management Plan by the Northern Territory Parks and Wildlife Service and Traditional Owners is evidence of a good start to joint management of this popular reserve.

This plan spells out a bright future for the reserve and everyone who has an interest in it. Visitors will be able to enjoy cultural aspects they have not seen before. Wildlife and habitat conservation will continue with the invaluable addition of an Aboriginal perspective. The reserve will also provide work for Traditional Owners, their families and their communities through cooperative projects. I am confident the public will welcome the reserve's future as outlined by this plan.

The reserve's Traditional Owners were actively involved in preparing the joint management plan and have been eagerly awaiting its coming into operation. I thank and congratulate them for their part in making this plan. I also thank and congratulate the officers of the Central Land Council who worked hard and effectively with the joint management partners to facilitate this plan's development.

Mr Len Kiely MLA
Minister for Parks and Wildlife

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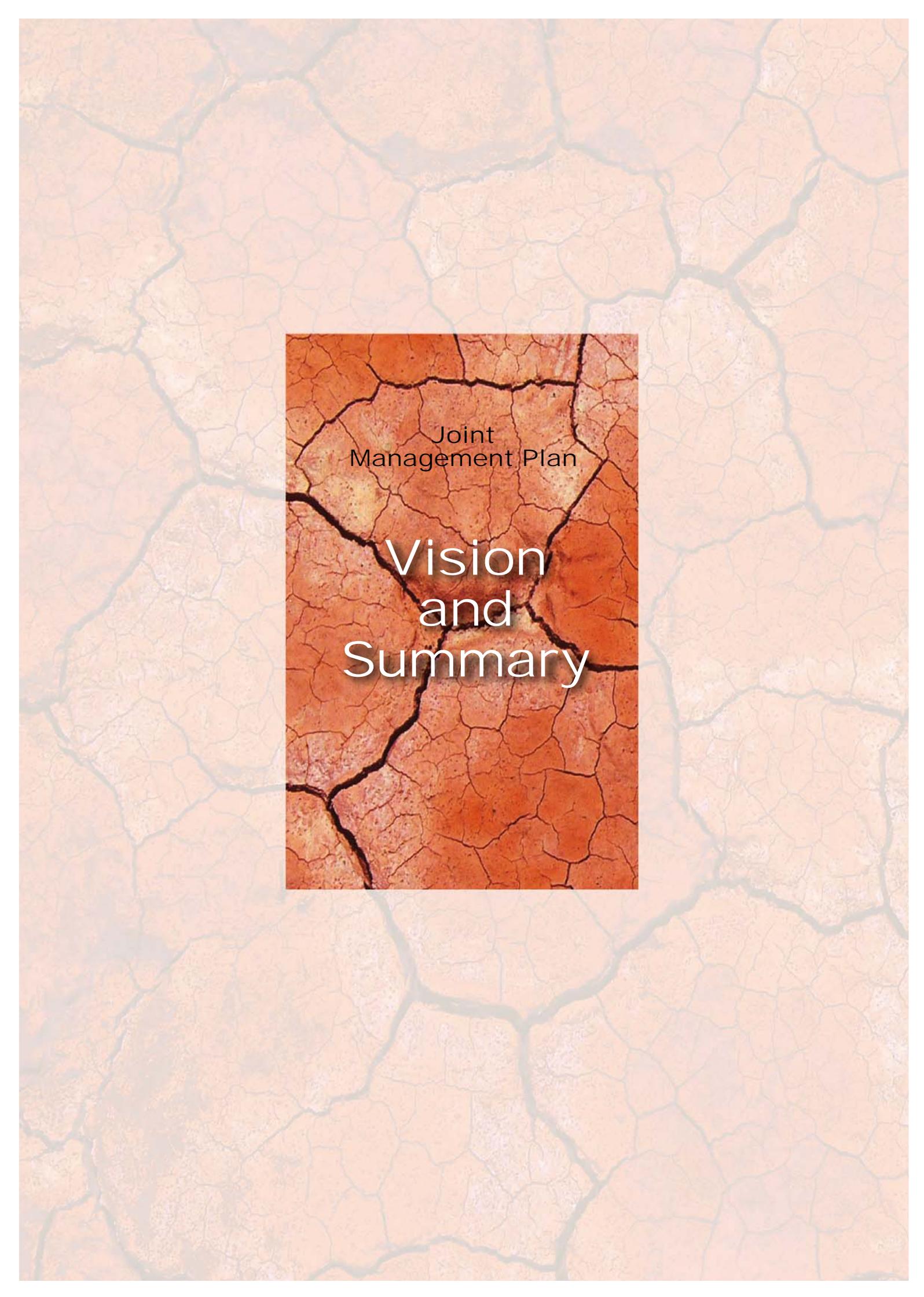
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Joint
Management Plan

Vision
and
Summary



*“ Keeping our country alive
for the next generation ”*

The Traditional Owners and the Parks and Wildlife Service will work strongly together, managing Rainbow Valley Conservation Reserve so that:

- The past is acknowledged and respected as we plan for the future.
- Traditional Owners' interests and aspirations are respected.
- The joint management partnership itself benefits and grows.
- The knowledge and expertise of the joint management partners is combined to look after culture, country, flora and fauna.
- Visitors will enjoy the reserve and be able to learn about culture, country, wildlife and joint management.
- The joint management partners can be proud of their achievements.

Joint management will provide opportunities for Traditional Owners, their families and communities to participate in the reserve's management, preserve aspects of culture that are important to them and derive social and economic benefit.

Joint management will continue to protect the reserve's values. The natural state of the reserve will be preserved as before. As far as resources permit, the impact of threats including fire, feral animals and weeds will be minimised. Plants of special conservation value will still be protected.

Rainbow Valley Conservation Reserve will continue to be an important place for low-key, nature-based tourism with new opportunities for visitors to enjoy and be informed about Aboriginal culture.



“ This place identifies where we come from and who we are ”

The Reserve and its values (pages 2-4)

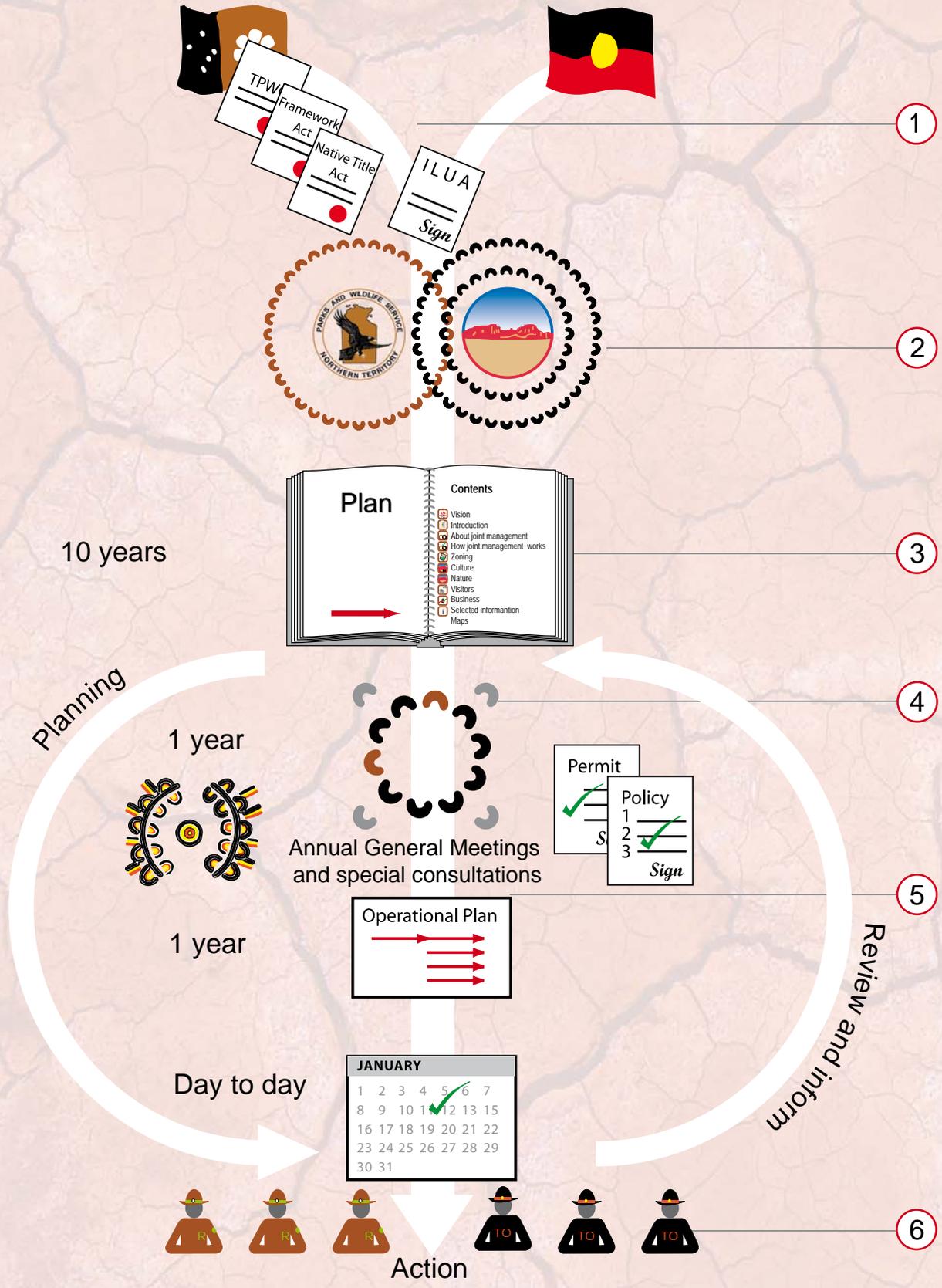
Rainbow Valley Conservation Reserve lies about 100 kilometres south of Alice Springs at the eastern end of the James Range. It has been recognised at a national level for its cultural, landscape, flora conservation and aesthetic values.

This place is well-known for the brilliantly coloured sandstone cliffs that give the reserve its European name. It is also a living cultural landscape, the traditional country of the Upper Southern Arrernte Aboriginal people. The Traditional Owners call themselves *Twertentyeye*. Rainbow Valley, known by them as *Wurre*, is part of *Imarnte*, the country to which they belong. The reserve also has very important archaeological sites and artefacts that are evidence of ancient Aboriginal connections to the area.

More than 10,000 people visit the reserve each year to take photographs, enjoy short walks and to learn about the area's natural and cultural values.

The reserve has a rich diversity of native plants and is mostly free of weeds. Several types of plants have special conservation value.

Summary





Summary

Joint management, decision making and planning

- 1 Legislation**

Joint management is set up under Northern Territory Law. Under the *Commonwealth Native Title Act* the Indigenous Land Use Agreement provides for joint management of the reserve.
- Joint management partners**
- 2** The Northern Territory Government's Parks and Wildlife Service and the Traditional Owners of Rainbow Valley Conservation Reserve.
- Joint management plan**
- 3** An agreement between the joint management partners about managing the reserve together.
- Shared decision making**
- 4** The joint management partners will have annual general meetings to prepare and review annual operational plans. There will also be special consultations with Traditional Owners – all Traditional Owners or a committee - for urgent decisions. The partners also approve policy and permits. Central Land Council help at meetings and consultations.
- Operational plans**
- 5** Operational Plans: Annual plans that set out agreed activities, reviewed each year.
- Day to day work**
- 6** Traditional Owners and rangers carry out agreed management under the joint management plan and operational plan.

Summary



*“ If we don't get it right
then we'll all miss out
on the benefits
waiting for us ”*

How joint management will work (pages 14-20)

The joint management partners agree to:

- Share information, learn together and keep the partnership growing and strong.
- See that work, training and business opportunities are there for Traditional Owners.
- Share decision-making through annual general meetings and special consultations, when needed.
- Work together on management programs, on the ground.
- Keep track of our performance by checking:
 - Progress against the aims stated in this Plan.
 - Our satisfaction.
 - Benefits to Traditional Owners.

Annual operational plans will be set out each year at annual general meetings. These plans will make sure the interests of Traditional Owners are taken into account in the day to day management of the reserve.

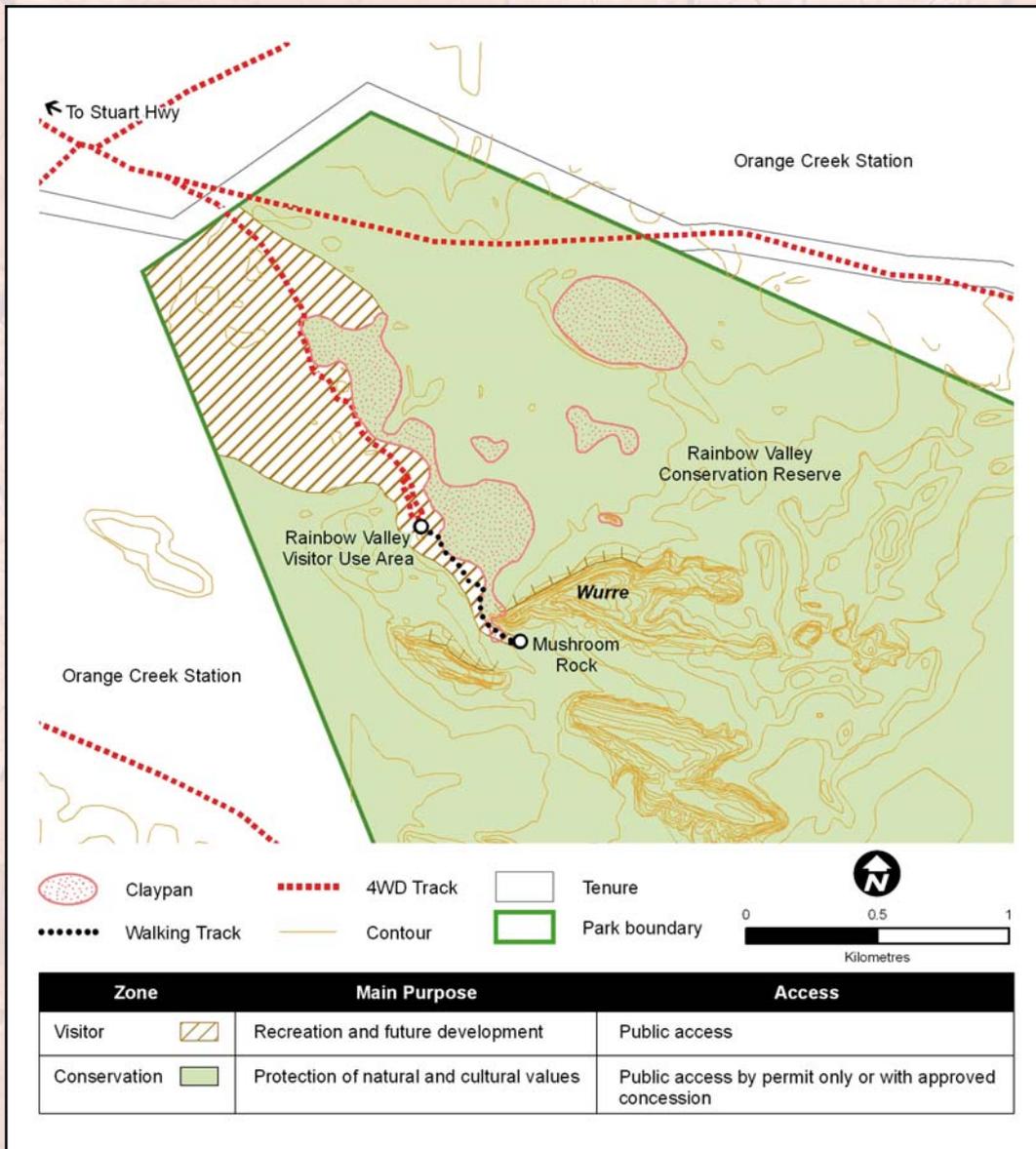
The Central Land Council will represent the interests of Traditional Owners and help make joint management strong.

Summary



*“Stepping on the right path.
Don't walk blindly,
we need to know
where we are walking”*

Zoning (pages 21-22)



Summary



" It's important to keep culture alive for the next generation "

Managing cultural heritage – looking after people and country (pages 23-27)

The joint management partners agree to:

- See that Traditional Owners control management of Aboriginal cultural heritage on the reserve.
- Develop a cultural heritage management program.
- Traditional Owners having access to the reserve for cultural reasons such as looking after sites, gathering bush tucker and ceremony.
- Protect areas of special cultural value.



" We need to have a final say on how our product is marketed, including images "

Managing business (pages 49-56)

The joint management partners agree to:

- Work together on operational plans and programs.
- Work with the community, neighbours and other stakeholders.
- Identify and support economic benefits to Traditional Owners available through flexible employment and training, direct employment, enterprise on the reserve and contracts.
- Promote the reserve with accurate and appropriate information, images and language.
- Jointly approve permits for public gatherings, activities in the conservation zone, tourism concessions, commercial filming and external research, survey and monitoring.
- See that research reports help inform Traditional Owners and protect their intellectual property rights.

Summary



“ It’s okay for people to go there, as long as they look after that place and themselves ”

Managing visitors – sharing the reserve (pages 45-48)

The joint management partners agree to:

- Provide better information to visitors and tour operators.
- Develop a new walking track and viewing facility, subject to funding and expand the campground, if required.
- Require people to have special permits for access into the Conservation Zone.
- Support commercial tourism opportunities for Traditional Owners.

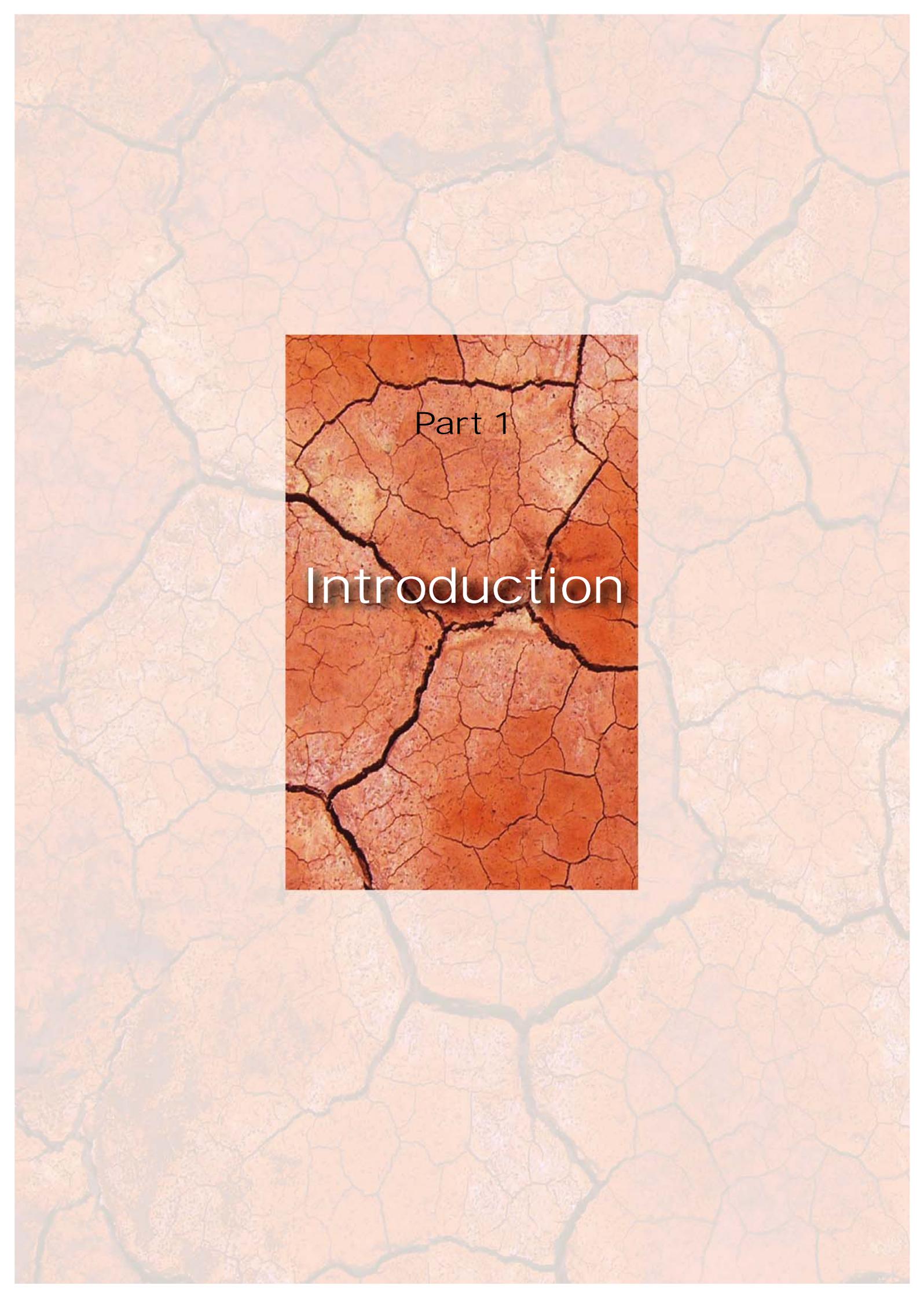


“ When we look at the land, it’s a part of us, not just a pretty sight ”

Managing natural heritage – looking after land and wildlife (pages 28-44)

The joint management partners agree to:

- Keep the area natural and make sure any development is carefully planned.
- Not consider living areas on reserve during the next ten years.
- Open a new public access track and repair the old track alongside the claypan.
- Keep people off the claypan unless it is dry and they have a permit.
- Record cultural information about plants and animals and share with visitors and others when Traditional Owners want to.
- Continue research, survey and monitoring plants and animals to help good decision-making.
- Continue protecting native plants and animals by managing weeds, fire, and feral animals.
- Not allow any hunting on the reserve.



Part 1

Introduction

1. Introducing the Reserve and this Plan

1.1 The Reserve and its values

It's an important place for family to visit and camp and to teach kids about that place and looking after country.

Rainbow Valley Conservation Reserve lies about 100 kilometres south of Alice Springs at the eastern end of the James Range (See Map 1). For its relatively small area (2483 Ha) the reserve has surprising diversity of significant cultural, natural and recreational values. Its cultural, aesthetic, landform, and flora conservation values are significant at the national level.

The reserve was declared under Section 12 of the *Territory Parks and Wildlife Conservation Act (TPWCA)* in 1990. It comprises NT Portion 1993 and is held under Perpetual Crown Lease No. 307 by the Conservation Land Corporation, granted on 18 June 1984.

This is the second management plan for this reserve. It has been written by the Parks and Wildlife Service in partnership with the reserve's Aboriginal Traditional Owners who know the Rainbow Valley cliffs by its Southern Arrernte name *Wurre*. Management of the reserve began in the early 1980s. This plan builds on the first plan of management, which came into effect in 1997, with the new dimension of joint management. Key management programs of recent years include:

- Intensive weed control focussing on the highly invasive Buffel Grass.
- Special monitoring and protection of plants of high conservation significance.
- Maintaining boundary fences to keep cattle out of the reserve.
- Controlled habitat burning to reduce the chance of wildfires.
- Maintaining visitor services including seasonal ranger talks.
- Recording and researching archaeological sites.

The reserve's values summarised below, together with the joint management partners' vision, establish the purpose and management directions of Rainbow Valley Conservation Reserve for the term of this Joint Management Plan.

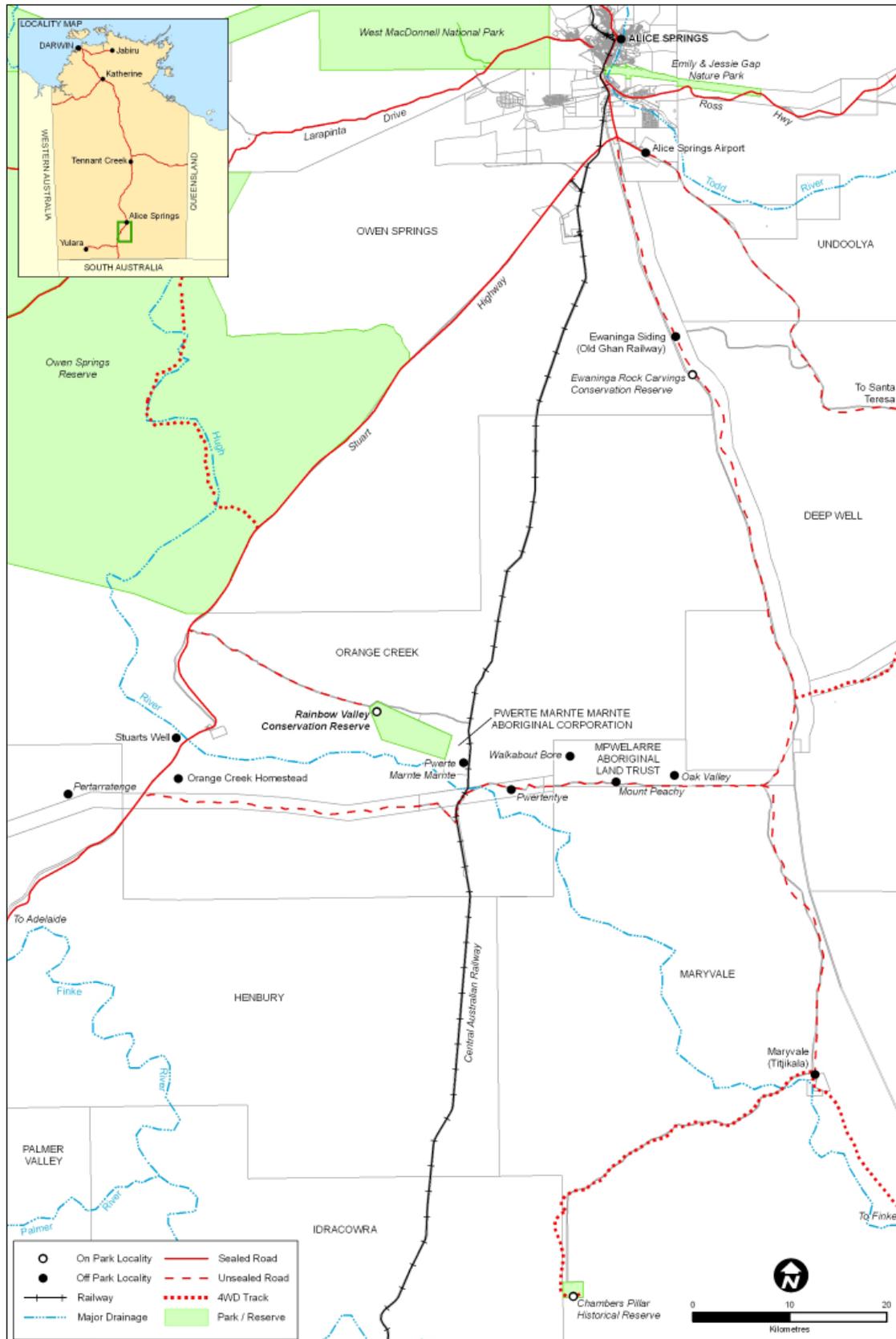
Aboriginal Cultural Values

This plan recognises and reflects the strong Aboriginal connections to the area. These are visible and tangible with respect to artefacts and archaeological sites, in which the reserve is rich. Less tangible but every bit as important are the cultural links the Traditional Owners keep with this land. For Traditional Owners, culture is a layer that touches every decision and action. They say: "The landscape identifies us and connects us with our past, present and future."

Grindstones are evidence of a long history of Aboriginal use and occupation of the area



Map 1. Location of Rainbow Valley Conservation Reserve



Culture adds value to the reserve in other ways. Information and interaction with cultural values can enrich the experience of visitors. Cultural aspects attract students and researchers of culture. Aboriginal knowledge adds an extra dimension to land and wildlife management; in the conservation context, species have cultural meaning and value as well as ecological value.

Cultural values also underpin joint management. There is growing interest worldwide in cooperative management of protected land involving indigenous people and governments. As one of the first Northern Territory reserves to have a joint management plan under the comprehensive new framework established in 2005, the process of jointly managing this reserve will be watched with interest by many in Australia and internationally.

Natural Values

The reserve is located in the interzone of the Finke and MacDonnell Bioregions and has a surprising variety of landscape and appealing natural features. The focus of the reserve has always been the brilliantly coloured sandstone cliffs that give the reserve its name. These examples of geomorphic processes are one reason for nominating the reserve for National Estate listing. The cliffs and other striking sandstone outcrops lie in a sandplain area with occasional low dunes and low rugged ranges in the south. In the reserve's west, a chain of interconnected claypans is a major feature.

The reserve's flora is remarkably diverse. Over 400 plant species occur within spinifex grasslands, open shrublands and woodlands of mulga and desert oak. Several species are of bioregional or Territory significance. One species, the Rainbow Valley Eromophila, is listed as vulnerable under both national and Territory legislation. The values relating to habitat and flora are all the more important because the reserve is relatively weed-free. These values lend themselves to ecological study. The reserve protects fauna typical of its desert habitats but there are no fauna species with special conservation status.

Recreation / Tourism Values

The striking white, yellow and orange sandstone cliffs of *Wurre* have been featured many times in the popular media to represent the beauty of desert Australia. When water fills the claypan at the bottom of the cliff, reflecting its image at sunset, the result is a stunningly beautiful scene that helps to attract more than 10 000 visitors each year. This makes the reserve a significant tourist destination and a significant contributor to the regional economy. Short walks, photography and opportunities to learn about the area's nature and culture typifies visitors' experience.

More than 10,000
people visit the
Reserve each year.



1.2 Background to joint management

Joint management is about partners working together in ways that respect Aboriginal culture, knowledge and interests. This respect is reflected in shared decision-making.

In 2005 the *TPWCA* was amended to provide for joint management of twenty seven parks and reserves that were subject to the *Parks and Reserves (Framework for the Future) Act of 2003*, often called the 'Framework Act'. The Framework Act provided for the settlement of land and/or native title claims over these areas and created the framework for their joint management. Rainbow Valley is one of the reserves subject to the new joint management arrangements.

In the case of Rainbow Valley, Aboriginal Traditional Owners do not hold title to the land. The terms of joint management for the reserve have authority in law under the *TPWCA*, an Indigenous Land Use Agreement (ILUA) registered under the *Native Title Act* and a Joint Management Agreement between the Northern Territory Government and the Northern and Central Land Councils. Among other conditions, the ILUA establishes the joint management of the reserve for ninety-nine years. A copy of the ILUA is given in Appendix 4. Selected parts of the Act are given in Appendix 5. This plan complies with all of these legal instruments.

Selected parts of the *TPWCA* are also given in Appendix 6. Briefly, the Act defines the joint management partners as the Northern Territory Government and the Aboriginal Traditional Owners. Section 25AB of the Act states:

The objective of joint management of a park or reserve is to jointly establish an equitable partnership to manage and maintain the park or reserve as part of a comprehensive and representative system of parks and reserves in the Territory and for the following purposes:

- (a) Benefiting both the traditional Aboriginal owners of the park or reserve and the wider community;*
- (b) Protecting biological diversity;*
- (c) Serving visitor and community needs for education and enjoyment.*

The Act also establishes the requirements of joint management plans. The Central Land Council (CLC) has an important role in assisting joint management. The Act defines this role, which is to represent and protect the interests of the Traditional Owners in relation to the reserve's management.

Please refer to the graphic representations in the Vision-Summary.



Joint management planning camp at the Reserve in September 2005.

1.3 About this Plan

This Joint Management Plan gives direction to the joint management partners for day-to-day management of the reserve. It describes how the objectives of joint management will be met, presenting both general and specific management actions against which progress can be measured. The plan complies with Section 25AE of the *TPWCA*. It replaces the reserve's first plan of management. This plan will have authority for at least five years unless amended. It is intended to replace this plan with a new plan not later than 2017. This plan is effective from 13 June 2008.

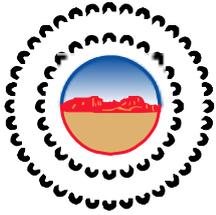
The plan was prepared by the joint management partners in consultation with other interested parties. Planning began with a meeting of Traditional Owners and Parks and Wildlife Service staff in September 2005. At that meeting, Traditional Owners formed a smaller group to work with Parks and Wildlife. The plan was completed through a number of meetings using participatory planning methods, assisted by the Central Land Council. The bold, italicised statements scattered throughout this plan are quotes of the Traditional Owners made during the preparation of this plan.

In joint planning discussions, the Traditional Owners identified the following as their main interests as joint managers of the reserve. These interests align with the intentions of the Parks and Wildlife Service and the objectives of joint management as they are reflected throughout this plan:

- Keeping culture strong.
- Protecting the values of the reserve.
- Getting joint management right.
- Making sure visitors show respect and behave in the proper way.
- Providing safe and culturally appropriate opportunities for visitors.
- Providing appropriate information for visitors.
- Having good working relations with neighbours and others.

This plan is effective from 13 June 2008.

2. About the joint management partners



2.1 The Aboriginal Traditional Owners

This place is important as it identifies where we come from and who we are. It gives us connection with the past, present and future.

For the purposes of joint management, Traditional Owners are defined as the local descent group of Aboriginal people who have common spiritual affiliations and spiritual responsibility for the land, and are entitled by tradition to forage over that land.

Across Australia, principles of land ownership bind Aboriginal people to specific areas of country. This is true of the *Arrernte* people of central Australia, including the families of Rainbow Valley.

Many aspects of Arrernte culture can be explained with reference to land and the travels, activities and interactions of ancestral beings during the creation times or *Altyerre* when the land and all its features came to be. Arrernte families believe they are the direct descendants of these ancestral beings and are responsible for groups of sacred sites, which define their *apmere* 'country' or 'estate', most often named after a prominent sacred site within it. Rainbow Valley Conservation Reserve is part of traditional country associated with the *Imarnte* estate, centred on the Hugh River drainage basin.

Imarnte is the main place where our ancestors lived. That is why we belong to Wurre, Mpwelarre, Mt Burrell, Titjikala and Chambers Pillar. It's always been there.

The Imarnte estate includes *Wurre* (Rainbow Valley), *Mpwelarre* (Walkabout Bore), *Manpwele* (Mt Burrell), *Titjikala* (Maryvale), *Iterrkawerre* (Chambers Pillar) and extends across the Orange Creek, Deep Well, and Maryvale pastoral leases.



Traditional Owners today continue to express their connection to country

Our dreaming goes a long way.

Aboriginal people from the surrounding country—*Iterrkewarre* (Idracowra), *Ilperle* (Henbury) and *Urenhe* (Owen Springs)—also have important cultural connections to *Imarnte* that remain strong today.

We call ourselves Twertentyeye ... we are all cousins.

Now, as in the past, skin names and totems partly determine rights to land as well as marriage, and rights to food and water. Aboriginal people today continue to express their connection to country and culture through language, storytelling, song, ceremony and using the resources of the land.

Traditional Owners of Rainbow Valley are associated with an Arrernte-speaking dialect group known as Upper Southern Arrernte or *Pertame*. The language is also known as *Twertentye*, the name for the Hugh River (central to the Imarnte estate) and the name used often by Traditional Owners to describe themselves.

For Arrernte people, kin relationships explain much more than who is family and who is not. They also connect people directly to land. The use of skin names places everyone in the traditional social framework (or kin system) which guides every person's behaviour towards other kin. Skin names are inherited from both the land (estate) where a person is born and from a person's father. Every estate has its own pair of father/child skin names, passed on to each child born into the estate-owning group.

*Imarnte. This is where we all belong.
This is where we all come from and from there we spread
out. Everybody met and lived here.*

The Rainbow Valley families also describe themselves in relation to their country as *Imarnte-arenye*, which means 'people belonging to Imarnte'. There are a number of ways in which a person may belong to an estate or 'country.' The most common way people belong to country is through their father and paternal grandfather. Arrernte people call a person related to country in this way *apmereke-artweye*, literally 'person belonging to country'. Such people are responsible for looking after sacred sites and objects, performing ceremonies and controlling access by others.

People may also belong to country through their mother's father. These people are known as *kwertengwerle*—'caretakers' or 'managers'. They make sure details of the ancestral beings' travels and deeds are properly passed on and that their sacred sites are cared for, and they assist *apmereke-artweye* on issues affecting country. A person might also be *kwertengwerle* through connection to a dreaming story within that country and having been conceived or born within that country. Neither the *apmereke-artweye* or *kwertengwerle* group can act independently of each other. Both have connection to and responsibility for country and sites on it.

*We don't just look at the rock as a rock.
It has a story and it is a living thing.
We know the stories and it's a part of us.*

To Traditional Owners, Rainbow Valley is a place that is alive with sacred, cultural and historical significance. A painting (below) by a senior Traditional Owner shows the Rainbow Valley rock feature, claypan and surrounding landscape as a base. Aspects of country and culture that are important to families are shown in additional layers.

Imarnte is shown as a central group of concentric circles with Rainbow Valley to the south-west and Titjikala to the east. Footprints pass across the landscape, representing the travels of ancestors and the present-day people of Imarnte — the *apmereke-artweye* (people of our country) and *kwertengwerle* (managers of our country).

Stencils of the artist's hands and symbols depicting small groups of men, women and children represent ownership, belonging and the continued presence of people in the landscape. This presence is connected with important practices such as:

- *anpernirrentye* (looking after our family).
- *altyerre anwernekenhe antanterretyeke* (looking after our culture).
- *kere merne anwerneke* (looking after [edible] animals and food).
- *apmere amwerneke antatarretyeke* (looking after our country).
- *kitye anwerneke akaltye-antetyeke* (teaching our kids).
- *apmere anwerne-kenheke ayeye* (stories for our land).
- *arntarente-areme anwernekenhe altyerre atywerrenge* (looking after our dreaming law).



Painting by Eric
Peter Mbitjana
Braedon© 2006

*It is important for people to know how and why
we are on country.*

Traditional Owners of Rainbow Valley today reflect the diversity and tenacity of Aboriginal law, providing a strong link to the country through descent and close family ties, ancestral narratives, and continued presence and activities such as hunting, gathering and use of traditional land management practices.

Archaeological evidence at Rainbow Valley links people to the site and *Imarnte* over a period of 30 000 years. Most local material relates to activity of the last 1300 years.

All of the *Imarnte* country is within the Hugh River drainage basin, which was the resource base for an Indigenous economy with 'many large and permanent waterholes' (Wood 1986:4, citing Strehlow 1947:71) providing fresh water, fish, waterfowl and game.

In 1859, John McDouall Stuart found large camps based on these waterholes. The people trapped fish using strongly constructed brush fences and other methods. Additional important natural and permanent resources for both water and food came from rock holes, soakages and gorges in the James Ranges running east and west around the present day Rainbow Valley Conservation Reserve.

Early European explorers such as Stuart thought that the Hugh and Finke river system could support European settlement. In 1863, the Northern Territory was annexed by the South Australian Government which then quickly leased southern Arrernte lands to pastoralists, who came from further south hoping to create a large-scale cattle industry. Early pastoral leases established in the late 1860s — including Henbury, Idracowra, Deep Well and Mt. Burrell (now Maryvale) — were sold to former managers and stock workers after the severe drought of 1889-94 reduced the value of the leases. These new cattlemen were only able to withstand the drought due to 'their acquisition of low cost Aboriginal labour' (Wood 1986:5).

The Spanish influenza epidemic of 1919-20 (Strehlow 1969) decimated Arrernte people with heavy losses amongst the *Pertame*. By this time, Indigenous populations previously living in an environment with a vast and diversified resource base had come to depend on a ration-based economy based on outstations and homesteads such as Henbury, Mt Burrell, Old Crown Point, Horseshoe Bend and Idracowra. These stations fenced off the country and to some extent blocked access to vital food resources such as water and game.

In order to survive, Aboriginal men and women took up ration-paying jobs, providing inexpensive labour for cattle stations. Today, many Traditional Owners remember their parents and grandparents being trained and completely engaged in station life (Wood 1986:6). It is also suggested (Paterson 2005:284-285) that there were 'mixed descent men, who ran cattle and were granted grazing licenses, albeit rarely. This indicates that some Aboriginal people were running their own cattle ventures within one or two generations of the arrival of white pastoralists.'

The James Ranges were one of the last areas in this region where Aboriginal people could hunt and gather. From as late as 1930, the Ranges' natural resources were contested by pastoral interests. When the railway was constructed to Apatula (Finke) in the late 1930s, stock could be transported more quickly, but pastoralism made the ranges inaccessible to Aboriginal people.

Severe droughts forced Aboriginal stock workers and their families to move from station to station, sometimes camping at rail sidings, depending upon work availability and weather conditions.

By the 1950s in the South-Central region, Aboriginal people were encouraged to leave the pastoral stations of Maryvale, Horseshoe Bend, Idracowra and Andado, and move to new welfare settlements, reducing the stations' dependency on cheap labour. Families were moved to settlements such as Santa Teresa, Titjikala, Apatula, Ernabella, Mutitjulu, and Imanpa.

Near the Rainbow Valley Conservation Reserve, 'Mt Burrell and later Maryvale homesteads have historically been the most important foci for the Imarnte-affiliated families' (Wood 1986:6). Many descendants were 'born at one of these homesteads and have spent significant portions of their working lives on the Mt Burrell/Maryvale pastoral leases.'

Despite these great difficulties in the recent past, Imarnte families have persevered. They have established working outstations and homes at Oak Valley, John Holland Bore and Walkabout Outstation. Families also live and work in Alice Springs, with some members travelling further afield within the Territory or interstate to pursue careers and lifestyle. Although people may be away from traditional country for long periods, their strong attachment to country is unbroken.

*We grew up knowing all this place. We miss it when we go away.
Imarnte always calls us back.*

Traditional Owners of Rainbow Valley are actively involved in the tourism, arts and pastoral industries. On nearby Oak Valley Outstation, Oak Valley Tours is owned and operated by Traditional Owners and caters to both domestic and international tourists, offering cultural tours and a well-established camping ground. Traditional Owners have also been involved in the establishment of *Gunya Titjikala* at Titjikala community, a cultural tourism venture aimed at the luxury market. Traditional Owners run cattle and horses for commercial purposes on their land, and are long-term employees on several pastoral properties in the area. Traditional Owners also run a small market garden located next to the reserve that supplies Titjikala community with fresh produce.

We are proud of who we are.

Rainbow Valley Traditional Owners continue working towards formal recognition of their strong ties to country through a Native Title Consent Determination commenced in 2003. They have welcomed joint management and are determined to make it work well. They see it as another opportunity for their families to take part in work and cultural activity. Families of Rainbow Valley are already enjoying working with the Parks and Wildlife Service and look forward to working with others who have an interest in the reserve.

*We have to be committed. We want to work together
for the future of our families.*



2.2 The Northern Territory Parks and Wildlife Service

The Parks and Wildlife Service is a division of the Department of Natural Resources, Environment and the Arts. It is a field-based organisation with approximately 120 rangers supported by scientific, planning, management and administration staff. The Service is dedicated to conserving the natural and cultural values of parks, while providing high-quality nature-based tourism and recreation opportunities for visitors. The service is committed to engaging the public and working with the interests of the community.

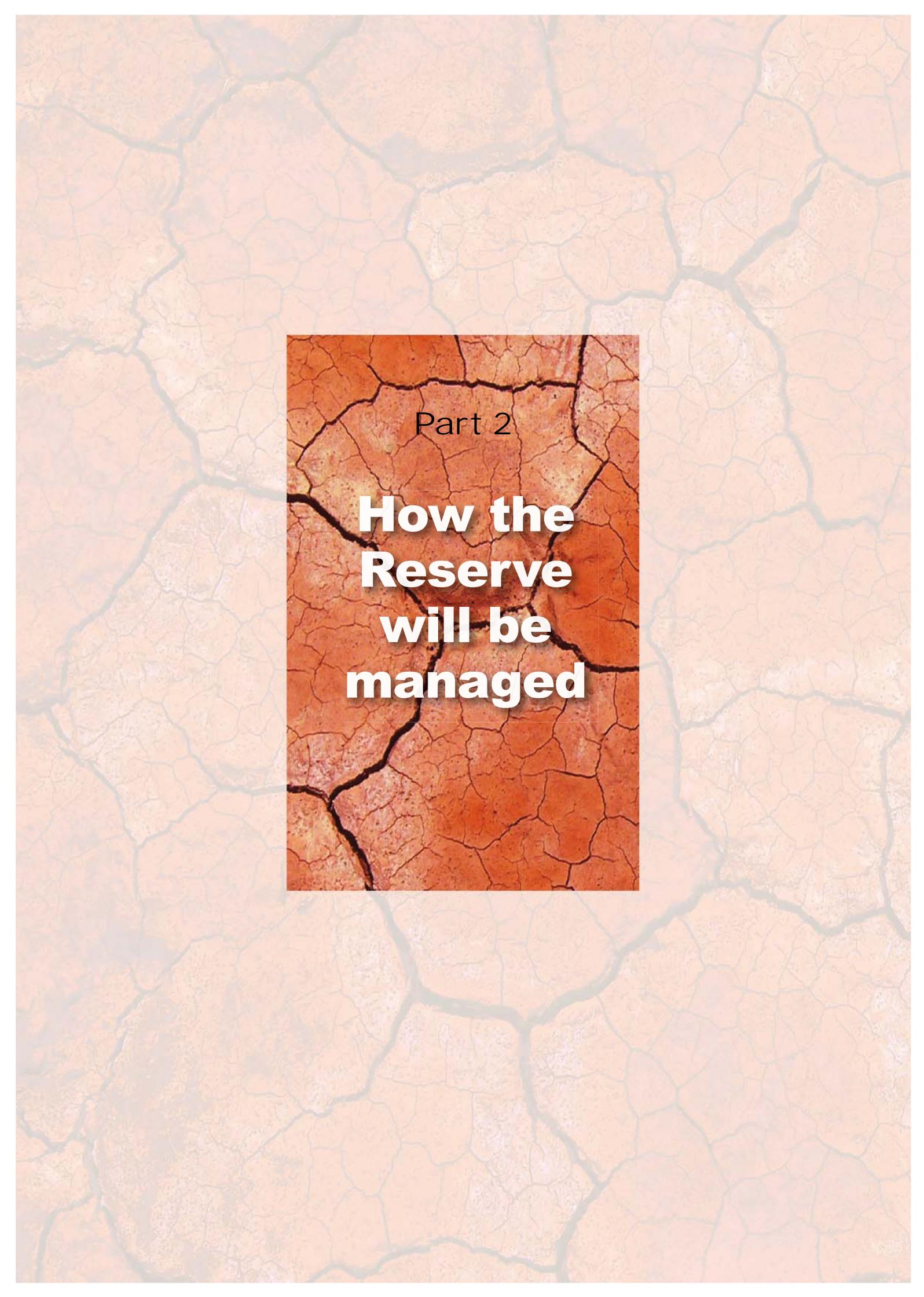
The Territory's park system includes some ninety-three parks and reserves with a total area of nearly 47 000 square kilometres. Parks are a vital investment in our future. They underpin the conservation of our environment and biodiversity. Well-managed they will provide sustainable social and economic benefits. The Service recognises that parks are at the heart of the Territory's tourism industry, our largest employer and second-largest income earner.

The Service is entering an exciting new era. Where previously joint management principles have applied to just a few parks, they now apply in Territory law to a third of the parks estate and are integral to the Service's business. The Service is responding with new ways of thinking, introducing new training and other programs to develop our capacity as effective joint managers.

The Parks and Wildlife Service is not new to joint management. Garig Gunuk Barlu National Park in the Top End has been jointly managed since 1981. Other examples include the high profile Nitmiluk National Park and Tnorala (Gosse Bluff) Conservation Reserve. While each park and Traditional Owner group is unique, the service has learned much from its shared management of these parks.

The Parks and Wildlife Service is committed to seeing that joint management partnerships grow and become truly equitable and that Traditional Owners benefit culturally, socially and economically from joint management.

This Joint Management Plan has been developed by the joint management partners in a very positive spirit. Like the Traditional Owners of the reserve, the Parks and Wildlife Service is optimistic about the shared future.



Part 2

**How the
Reserve
will be
managed**

3. How joint management will work



We can achieve a lot together by building up trust and working together on common goals.

If we don't get it right then we all miss out on all the benefits waiting for us.

Introduction

This section of the Plan talks about making joint management strong and successful. This joint management partnership is a new one. The partners recognise that successful partnerships are built over time.

Joint management is about working and making decisions about the reserve together, in an equitable partnership. This section of the Plan outlines how decision making will happen in general and refers to specific decisions that will need to be made. It defines successful joint management and describes the steps that will be taken to make sure the partners keep track of progress. It also looks at ways in which social and economic outcomes for Traditional Owners will be pursued.

Principles for getting joint management right

- Trust and respect; sharing information, understanding and points of view.
- Sharing decision-making and responsibility for management.
- Working together on management programs.
- Monitoring how joint management is working.
- Traditional Owners teaching rangers about country and culture.
- Rangers teaching Traditional Owners about managing parks.
- Managing cultural knowledge so that culture and people are protected.
- Training, jobs and business opportunities for Traditional Owners.
- Providing opportunities for all Traditional Owner families in joint management and park work.
- Respect and apply the intent of joint management as laid out in the *TPWCA* and other agreements.

Our Aims

- Strong joint management partnership with a focus on results.
- Satisfied joint management partners.
- Benefits to Traditional Owners.

Background

Practical joint management

Joint management success will be measured against achievement of the aims in this Plan and the satisfaction of the joint management partners. Ninety percent satisfaction is their agreed benchmark of success. The partners have agreed that joint management should succeed if the above principles are followed. A number of the principles are about building the relationship and the capacity of the partnership. As it is a new partnership, the process of joint management needs to allow both partners to continue to learn and grow. The decision-making framework recognises this need.

Sharing Cultural Knowledge

Aboriginal cultural information will contribute to management plans and programs in a number of ways. Protecting areas or species of high cultural significance and sharing cultural information with visitors are just two examples. To Traditional Owners, this is not as simple as giving out information. It is important that Traditional Owners are recognised as the owners of cultural intellectual property and that they control how information is used.

*We have the chance to have Aboriginal skills
and knowledge respected.*

Making Decisions

All decision-making must be shared equitably by the joint management partners. This includes all decisions, from those that are easily made to those that require the most careful consideration. Decisions will be needed in relation to:

- Standard procedures and day-to-day activity such as weekly patrols and maintenance checks.
- Management program plans that are made for two or more years, usually reviewed annually, such as fire and weed programs.
- Development proposals.
- Policies and regulations such as a policy for commercial filming.
- The impact of higher-level government policies on the management of the reserve.

*Working together ... two different groups of people managing
the park and learning from each other.*

Joint management principles call for traditional Aboriginal decision-making to be recognised and respected. For the reserve's Traditional Owners, this means that the old people, as the most important custodians of tradition, have the first and last say with respect to the land.

Dispute Resolution

The Parks and Wildlife Service will make every effort to communicate with all Traditional Owners in relation to the management of the reserve. It is also important that Traditional Owners keep talking with each other to avoid disputes or misunderstanding. If the directions outlined in this part of the Plan are carried out, the joint management partners should enjoy a strong, friendly relationship with high levels of mutual respect and trust. The partners will make every effort to reach agreement when making decisions. From time to time it is possible that, for difficult decisions, ready agreement will not be reached even after respectful discussion and negotiation. The *TWPCA* requires this plan to say how disputes will be resolved. See directions 3.8 and 3.9 on page 19.

Role of Central Land Council

The CLC played a major role in facilitating the preparation of this Plan. They will have an ongoing role in representing Traditional Owners' interests and helping the joint management partnership work. The CLC has the expertise and resources to continue facilitating joint management consultations and capacity-building activities and to monitor joint management processes.

Social and Economic Benefits

Joint management should bring social and economic benefits to Traditional Owners. Joint management agreements require the Northern Territory Government to provide relevant opportunities. These include direct employment by the Parks and Wildlife Service, and employment through business contracts and private concessionary operations providing services to visitors. Traditional Owners need the capacity and skills to take advantage of such opportunities. The Parks and Wildlife Service will therefore make sure training is available to Traditional Owners in areas such as park management, tourism and business management.

*We want to work together to achieve the aims and goals
for the future of our families.*

Rainbow Valley is an unstaffed reserve, currently managed as part of the Central District Parks operation based in Alice Springs. In the short to mid term, there is limited opportunity for Traditional Owners to be employed as rangers. However, at the time of this Plan's preparation, one of the reserve's Traditional Owners is employed as a trainee ranger at Central District Parks. There is also strong potential for Traditional Owners to gain contract work, maintaining or developing facilities. With more than 10 000 visitors to the reserve each year, Traditional Owners are also well positioned to provide visitor services on a commercial basis.

Periodic paid work and training in park management and development will also suit some Traditional Owners. Such opportunities are being eagerly taken up. The Flexible Employment Program works in partnership with Aboriginal community organisations and training providers. It provides for men and women, young and old to participate in the reserve's management. The program also assists people who want permanent jobs to be more competitive when applying for traineeships and ranger vacancies, as well as as helping to add to the capacity of individuals and organisations to take on commercial contracts.

It is a long-term goal for the Traditional Owners to play a leading role in day-to-day management of the reserve. For this to happen, the existing ranger camp may be improved or a new facility developed.

With other agencies, the Parks and Wildlife Service and the CLC can help Traditional Owners to develop tourism businesses. Some of the reserve's Traditional Owners already have experience in business ownership and management. Oak Valley Tours provides a cultural experience and camping facilities for national and international tourists. Traditional Owners have also been involved in the establishment of *Gunya Titjikala*, a cultural tourism venture near Titjikala community.

A number of government strategies drive Aboriginal employment and training activities. Aboriginal employment and training plans have also been developed in collaboration with the Northern and Central Land Councils, outlining approaches to bring about outcomes at regional and local levels.

Living on the Reserve

Joint management agreements provide for Traditional Owners to live on parks and reserves as a means for them to more actively contribute to natural and cultural resource management. Traditional Owners, however, have said they do not want living area proposals considered for the reserve during the period of this Plan. Many Traditional Owners live on homelands within close proximity to the Reserve.

Traditional Resource Use

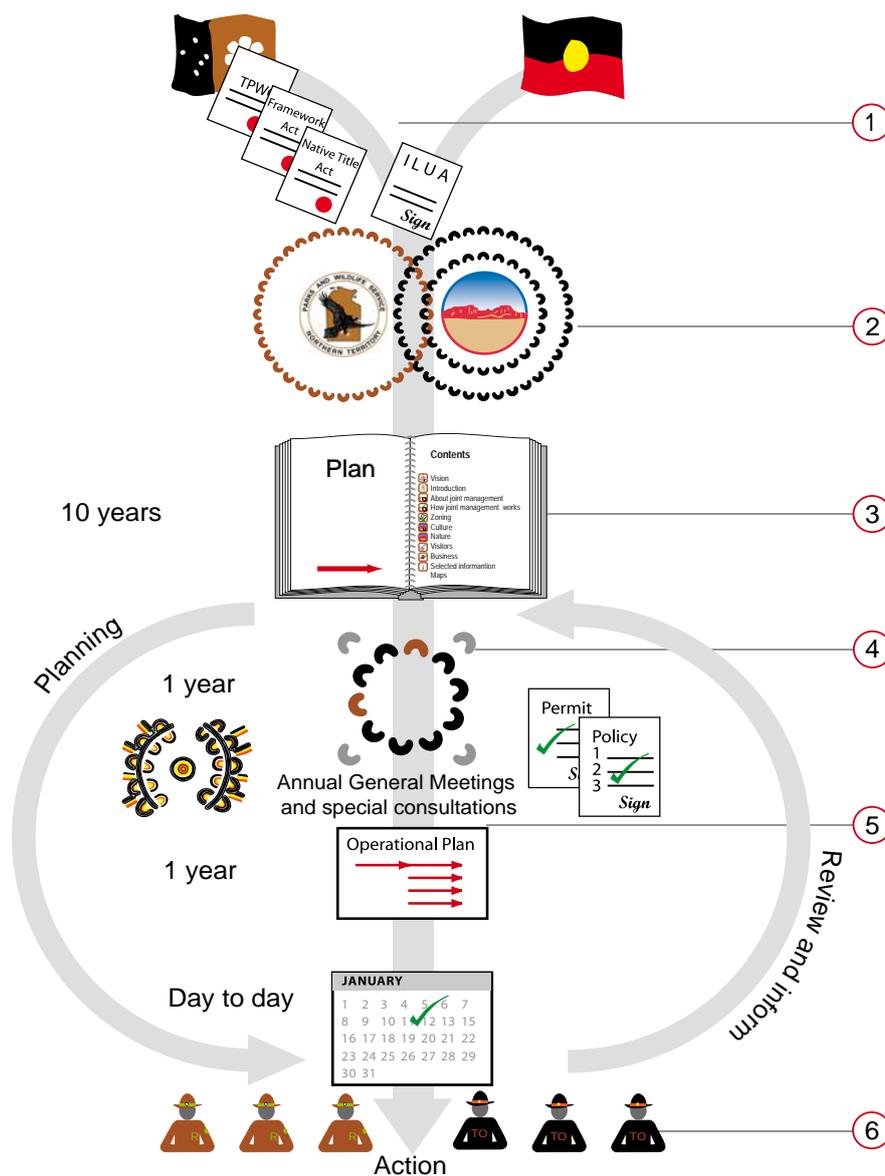
Traditional Owners are also entitled under the *TPWCA* to use the natural resources of the land, to hunt wildlife and gather bush foods. The Traditional Owners believe that hunting will have too great an impact on a reserve this small and choose not to exercise their right to hunt. They will, however, gather bush foods and medicines on the reserve from time to time (see Sections 5 on page 23 and 6.3 on page 33).

We still want to walk around and talk about and gather bush foods with our kids, us and our sisters.

Directions

- 3.1 The joint management partners will see that the partnership grows and capacity continues to build by doing the following:
 - Parks and Wildlife rangers will be required to achieve minimum standards of cross-cultural competency through appropriate training. Cultural education specific to this reserve will take place through 'culture days' on the reserve led by Traditional Owners.
 - Traditional Owners will be kept informed about management activities and issues through field days, the partners working together on management programs, quarterly reports and annual general meetings (AGM).
 - Every effort will be made to engage all Traditional Owner families.
 - Governance training will be offered to Traditional Owners.
 - Opportunities will be provided for Traditional Owners to exchange ideas and knowledge with other Aboriginal people engaged in joint management.
- 3.2 Traditional Owners will be respected as the owners of cultural information which will only be used for agreed purposes in accordance with protocols drafted by the CLC and endorsed by the joint management partners.
- 3.3 Management of this reserve will be influenced by joint management governance as it develops for other parks at regional and Territory levels. Different ways of doing joint management business may be introduced, including a more formal approach to decision-making if and when the partners see fit.
- 3.4 Decision-making at all levels will happen jointly and efficiently. The Traditional Owners will appoint a small informal committee to represent the interests of the full Traditional Owner group. The joint management partners will hold AGMs at which Traditional Owners may be represented by the committee or a larger group. The purpose of AGMs will be to:
 - Review progress made in the reserve's management during the previous year, against the aims stated in this Plan.
 - Set agreed annual operational plans for the next year.
 - Measure the satisfaction of the joint management partners - see 3.7 on next page.
 - Review or develop policies and regulations.
 - Consider development and other high impact proposals.
- 3.5 Special consultations will be held with the committee or larger Traditional Owner group when decisions need to be made relating to urgent issues or proposals that should not be delayed until the next scheduled AGM. Instances requiring special consultations are identified in other parts of this plan.
- 3.6 Annual operational plans will be the means by which progress in implementing this Plan will be measured (see also Section 8.5 on page 55). These plans will document specific management objectives based on this joint management plan along with a schedule of management activity for each of the reserve's management programs. Operational plans and their annual review will also ensure that Traditional Owners' key interests listed here are properly considered:

- Getting joint management right.
 - Keeping people and culture strong.
 - Protecting the reserve's values.
 - Making sure visitors show respect and behave appropriately.
 - Providing safe and culturally appropriate activities.
 - Providing appropriate information.
 - Good relationships with others.
- 3.7 The partners' satisfaction will be measured each year before and as a part of AGMs using some or all of the following methods:
- Interviewing senior rangers and key Traditional Owners using questions to qualify perceptions and feelings relating how well the agreed joint management principles (above) have been applied.
 - Giving the same interview questions to the wider group of Traditional Owners to facilitate discussion.
 - Surveying selected partners to determine satisfaction levels against the agreed benchmark of 90 percent.
 - Applying *Most Significant Change Technique* or similar techniques with proven results in participatory monitoring and evaluation.
- 3.8 Should a dispute arise between the joint management partners that cannot be resolved amicably, the partners will jointly appoint an independent mediator to help facilitate a final decision.
- 3.9 The CLC will continue to support practical joint management, representing and supporting Traditional Owners' interests, facilitating consultations, assisting with joint management capacity-building activities, monitoring joint management processes and, if necessary, facilitating dispute resolution between Traditional Owners.
- 3.10 Independent evaluation of joint management processes and outcomes will be pursued if and when the partners agree and the means to do this effectively are identified.
- 3.11 There will be a thorough appraisal of the implementation of this Plan by the joint management partners toward the end of this Plan's term.
- 3.12 Training, employment and business outcomes for Traditional Owners will be actively pursued. Opportunities including direct and flexible employment, contracts and enterprise – and Traditional Owners' interests and capacity will be considered each year at AGMs and agreed, achievable plans set down. The Parks and Wildlife Service will see that training and business development support is available to Traditional Owners through other agencies when the Parks and Wildlife Service cannot directly assist.
- 3.13 Opportunities for paid participation of Traditional Owners in park management programs will be maximised. This may include on-the-job and accredited training activities carried out by training organisations.
- 3.14 Traditional Owners and Aboriginal organisations they support will be preferred contract service providers (see also section 8.1 on page 49).



Joint management, decision making and planning

- 1 Legislation**
 Joint management is set up under Northern Territory Law. Under the *Commonwealth Native Title Act* the Indigenous Land Use Agreement provides for joint management of the reserve.
- 2 Joint management partners**
 The Northern Territory Government's Parks and Wildlife Service and the Traditional Owners of Rainbow Valley Conservation Reserve.
- 3 Joint management plan**
 An agreement between the joint management partners about managing the reserve together, for up to 10 years.
- 4 Shared decision making**
 The joint management partners will have annual general meetings to prepare and review annual operational plans. There will also be special consultations with Traditional Owners – all Traditional Owners or a committee - for urgent decisions. The partners also approve policy and permits. Central Land Council help at meetings and consultations.
- 5 Operational plans**
 Operational Plans: Annual plans that set out agreed activities, reviewed each year.
- 6 Day to day work**
 Traditional Owners and rangers carry out agreed management under the joint management plan and operational plan

4. Zoning



Our Aim

- To protect the reserve's values while providing for public use.

Background

A zoning scheme indicates the management priority for specific areas within the reserve. Zoning ensures a balance between the need to protect important values and to provide for visitors. Zoning also provides a basis for future planning and development.

In developing the zoning scheme outlined in this Plan, the joint management partners looked at current and future visitor use areas along with areas of the reserve that are most important for conservation of cultural and natural values. In any zone, development will only proceed with appropriate protection of cultural and environmental values.

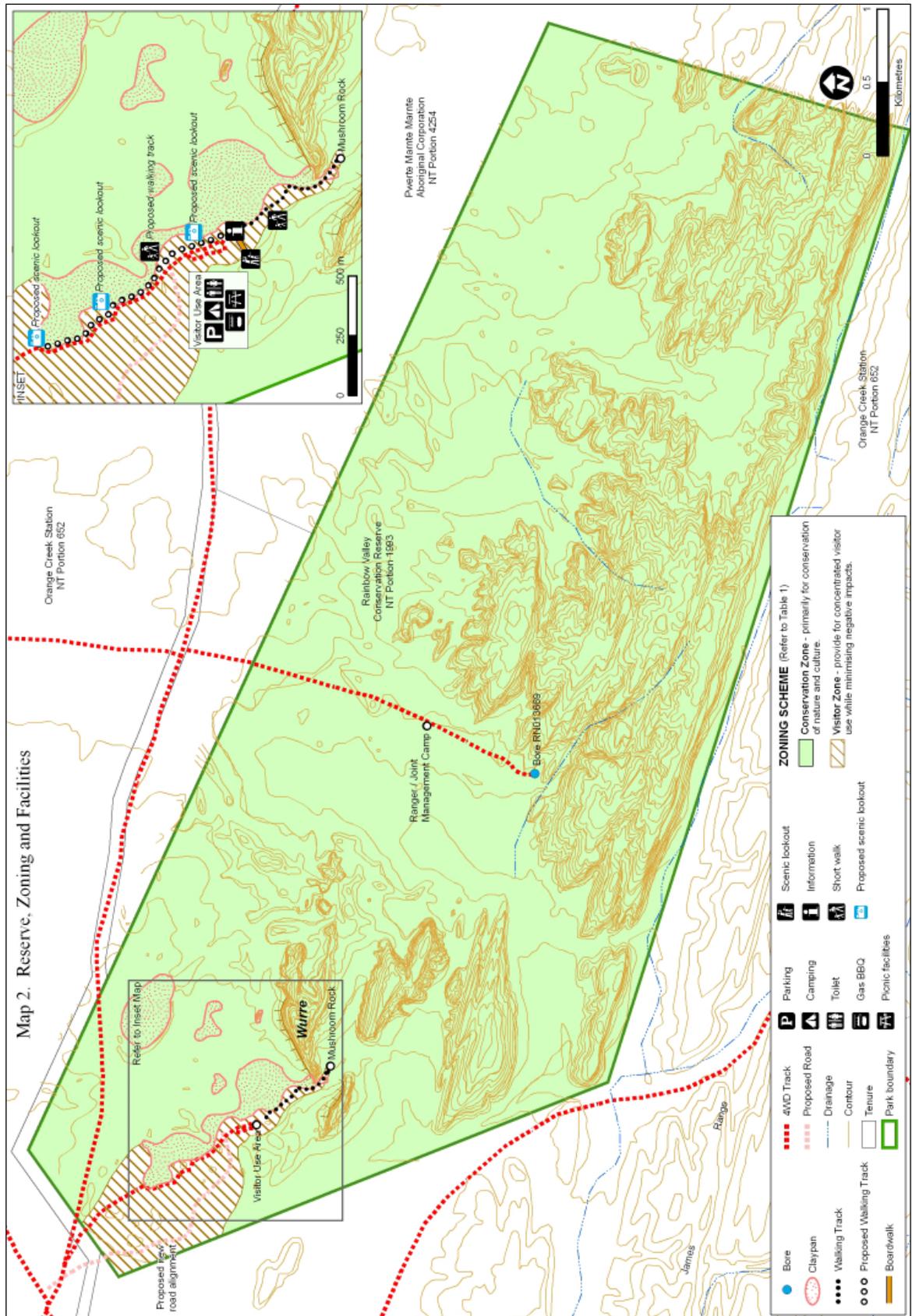
Directions

- 4.1 Management of the reserve will conform to the zoning scheme described here, summarised in Table 1 below and shown in Map 2.

Table 1. Zoning scheme summary.

	Visitor Zone	Conservation Zone
Purpose	<ul style="list-style-type: none"> • Provision for concentrated visitor use while minimising negative impacts. • Provision for significant future development. 	<ul style="list-style-type: none"> • Protection of natural and/or cultural values. • Provision for controlled visitor use.
Access	<ul style="list-style-type: none"> • Conventional vehicle access. • Constructed walking tracks. 	<ul style="list-style-type: none"> • Public access by permit only or in connection with approved concession. • Vehicle access restricted to existing service track.
Activity	<ul style="list-style-type: none"> • Interpretation of the reserve's values. • Picnicking. • Camping. • Short walks. • Photography. 	<ul style="list-style-type: none"> • Management and cultural activities. • Bushwalking under permit. • Low-key commercial tourism.
Facilities	<ul style="list-style-type: none"> • Parking, picnic and camping facilities. • Toilets, walkways and viewing platforms. • Shade shelters, visitor information and interpretive walks. 	<ul style="list-style-type: none"> • Ranger/joint management base. • Other management facilities necessary to protect key values. • Low key visitor facilities under terms of concession permit.

Map 2. Reserve, zoning and facilities



5. Managing Cultural Heritage



Looking after People and Country

*Culture defines who we are.
Our traditions must be passed onto future
generations in keeping with Aboriginal law.*

*We have to keep the language alive and keep
the Dreaming going to keep the culture strong.*

Introduction

This section addresses the interests of the joint management partners in relation to cultural values. For the reserve's Traditional Owners, it is vital to keep culture strong. Strong culture is based in connection to country and knowing country well — its creation stories, its plants and animals, and its language. Strong culture needs knowledge and connection to country to be passed on to the next generation. This makes it essential for families to have opportunities to visit country and teach young people their cultural inheritance. The reserve contains special places associated with creation stories. These must be carefully managed. The reserve also contains archaeological sites and artefacts that are valued by the Traditional Owners and the wider community.

Principles for managing cultural heritage

- Aboriginal history relating to the reserve should be conserved and passed on to future generations through family.
- Cultural sites must be properly protected.
- Only Traditional Owners can speak for the country and culture.
- The Traditional Owners are the owners of their heritage — knowledge, art sites and artefacts. They should control how it is recorded and managed.
- Keeping culture alive means Traditional Owners are able to access country freely.
- The broader community also values Aboriginal cultural heritage. While respect for Traditional Owners' wishes is paramount, heritage management may involve the ideas and resources of others.
- The Burra Charter provides sound direction for cultural heritage conservation.

Our Aim

The reserve's cultural heritage maintained and managed according to the wishes of the Traditional Owners and Territory and Commonwealth law.

Background

Cultural Knowledge and History Stories

Traditional Owners hold a large unwritten body of knowledge relating to the reserve. This aspect of cultural heritage includes stories relating to the Altyerre or creation time, oral histories of times before and after European settlement, and traditional ecological knowledge. This knowledge is central to Traditional Owners' cultural identity and they worry it may be lost as their old people pass on. They therefore want to retain it and hand it on to their children. As remembering and teaching culture is most effective on country, Traditional Owners need to be able to access the reserve freely. The ability to practice ceremony on country is becoming more important as the law holders become older.

Traditional Owners are keen to record traditional ecological knowledge in their own language, including traditional uses and species names. Some of the old knowledge is fading in peoples' memories so Traditional Owners are keen to engage with other Aboriginal people to help bring language and knowledge back into focus. They want to document this knowledge for the benefit of their young people, share it with visitors to improve their cultural understanding, and share it with rangers for wildlife conservation while protecting their cultural intellectual property.

Traditional Owners continue to hunt and gather traditional foods, medicines, and natural materials on their homelands. These activities also keep culture strong. Under the *TWPCA*, Aboriginal Traditional Owners are permitted to hunt, forage and gather resources in parks and reserves for traditional purposes. The reserve's Traditional Owners, however, have decided not to hunt on the reserve. They believe that, in a relatively small reserve as Rainbow Valley, hunting could compromise public safety, contribute to soil erosion and deplete local wildlife populations.

It's important to keep our culture alive for the next generation.



Art and Archaeological Sites

The reserve is on the indicative list of the Register of the National Estate for its archaeological values. It contains a highly significant and comprehensive example of central Australian rock art that includes engraved rock, abraded grooves and painted motifs among more than forty recorded sites. Further evidence of a long history of occupation and use of the area by Aboriginal people includes extensive scatters of grindstones and other tools, quarries and camp sites. These sites are a tangible link to past generations and Traditional Owners have a responsibility under traditional law to see them protected.

The archaeological values of the reserve have been subject to various studies. The most recent study was done by June Ross between 1999 and 2003. The number and variation of the reserve's archaeological sites makes them important for future research.

The Heritage Conservation Act of 1991 gives specific protection to archaeological sites and resources in the Northern Territory. Under the Act clearance must be given for works that may threaten prescribed archaeological places.

To date, management of the archaeological sites has limited access to specially permitted researchers and tour operators, and has closely monitored their behaviour. Removal of cattle from the area has reduced the threat to sites.

The main threat to the reserve's rock art is unauthorised, unguided visitation. Clambering over delicate engraved surfaces and touching rock art are just two ways in which people can damage sites. Natural processes, such as erosion of the soft Hermannsburg Sandstone, result in unavoidable deterioration of motifs. It is not practical to divert water flow with silica driplines or to use other direct conservation techniques.

All art sites need to be monitored regularly for rapid deterioration. Preservation of the artefact scatters is a priority with souveniring by unauthorised visitors being a significant threat. Many larger grindstones were removed before the area became a reserve and some of these are held by the Museum and Art Gallery of the Northern Territory.

The archaeological sites are of very high interpretive interest. The Traditional Owners would like to operate commercial guided tours into these areas in the future.



Traditional Owners talking about looking after culture with archaeologist June Ross during a field day in September, 2006.

Sacred Sites

The Traditional Owners see joint management as a way to strengthen sacred sites management by informing people about them and encouraging respect.

There are places on the reserve that the Traditional Owners associate with events of the Altyerre or creation time. Access to and knowledge relating to these sacred sites may be restricted under traditional law.

This is our country. We belong here.

Protection for places that are of cultural significance to Aboriginal people in the Northern Territory is afforded under overlapping legislation. The *Commonwealth Aboriginal Land Rights Act* (N.T.) 1976 (ALRA) gives legal recognition to areas which that Act terms “sacred sites” and defines 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 tradition”.

Complementary Northern Territory legislation, the *Northern Territory Sacred Sites Act* 1989 (NTASSA) also provides protection for all sites that fall within the scope of this definition. This protection is generally provided in the form of an Authority Certificate from the Aboriginal Areas Protection Authority (AAPA) in response to land use proposals. Both the NTASSA and the ALRA make illegal entry to, works on or use of sacred sites an offence.

Strong joint management will ensure that sacred sites are protected in accordance with Traditional Owners’ wishes. Under the ALRA the Central Land Council have a specific function to “assist Aboriginals in the taking of measures likely to assist in the protection of sacred sites” and under its established procedures will carry out this role in facilitating joint management.

Four sites on the reserve are listed on the AAPA register. Traditional Owners are especially concerned about visitors accessing two areas adjacent to the Visitor Zone. The claypan has important Altyerre associations and access will be restricted. Cultural restrictions also apply for the massif south-west of *Wurre*. It is the wish of Traditional Owners that there be no photography or filming of this massif. Public access and access to women, including female rangers, is restricted beyond Mushroom Rock.

The reserve has no significant non-Aboriginal heritage values.

Stone tool flakes are commonly found in the area. Many grindstones have unfortunately been removed over the years.



Directions

- 5.1 The Traditional Owners will control Aboriginal cultural heritage management activities, research and information.
- 5.2 The joint management partners and CLC will, under the direction of the Traditional Owners, develop a cultural heritage management program for the reserve, providing for:
 - Country visits and activities that will facilitate transmission of cultural knowledge to young Traditional Owners.
 - Consolidating existing information about the archaeological sites and artefacts.
 - Recording, monitoring and protecting archaeological sites and artefacts.
 - Identifying research and cultural heritage management gaps.
 - Training for Traditional Owners in cultural site management and interpretation.
 - Recording oral history and traditional knowledge.
- 5.3 Traditional Owners will be able to access all areas of the reserve. Practical arrangements will provide for Traditional Owner families to use the ranger camp.
- 5.4 Areas of the park may be temporarily closed to the public for purposes of traditional ceremony. Public notice of closures will be provided as far in advance as possible.
- 5.5 Access to culturally sensitive areas will be in accordance with the zoning scheme. The Parks and Wildlife Service will abide by gender restrictions in relation to access to culturally sensitive areas.
- 5.6 Provision is made for the Traditional Owners to operate commercial guided tours to cultural sites subject to concession agreements and the approval of the full Traditional Owner group.
- 5.7 The CLC will have sacred site clearance responsibility for all proposed works on the park. However the joint management partners may agree from time to time that a proponent may require an AAPA Authority Certificate under the NTASSA. Clearance may also be sought under the *Heritage Conservation Act* for works on places and objects protected under that legislation.
- 5.8 In accordance with the wishes of the Traditional Owners, commercial filming or photography of the massif southwest of the coloured cliffs of Rainbow Valley will not be permitted.
- 5.9 Information will be provided to visitors to help them learn about, respect and appreciate the reserve's cultural heritage.
- 5.10 Traditional Owners wishing to gather bush tucker or otherwise use the natural resources of the reserve may do so, subject to the permission of the full Traditional Owner group or Committee and conditions agreed by the joint management partners. Activities with a significant impact on the reserve's values, or that compromise visitor safety or enjoyment, will not occur. Traditional activities and their impacts will be monitored. See also section 6.3 on page 33.

6. Managing Natural Heritage



Looking after Land and Wildlife

*When we look at the land, it's a part of us
— not just a pretty sight.*

It's about keeping country alive for future generations.

Introduction

This section of the Plan talks about protecting land, plants and animals. The reserve contains a priceless natural heritage that the joint management partners, along with the wider community, want to protect for future generations. The need to minimise environmental impacts and control threats to plants and animals is considered here.

The reserve's Traditional Owners see culture and nature as deeply interconnected. Cultural tradition, the land and its wildlife are interrelated. Joint management then, brings a new way of looking at natural resource management. Care and protection of natural values is as important as before but will occur with Aboriginal interests and knowledge of country merging with western scientific approaches.

Principles for managing natural heritage

- Managing the natural values of the reserve needs to be considered together with managing cultural values and interests.
- Looking after country and wildlife should combine Traditional Owners' knowledge of country with rangers' scientific methods.
- Healthy land and wildlife needs the natural environment and ecological processes to be left undisturbed as much as possible.
- Good management of the reserve's natural values needs good knowledge of country and wildlife.
- Weeds and feral animals can seriously impact on healthy land and wildlife. They must be effectively managed, taking into account threats that may exist outside reserve boundaries.
- Fire is a natural part of the landscape. For healthy country and wildlife, fire must be carefully managed.
- The value of the reserve as a whole requires that its scenic values and natural character be kept intact.
- Naturally stable soils are important for protecting the reserve's landscape. Soil erosion resulting from poor management or development can threaten habitats.
- The reserve's water resources are a critical part of its ecosystems and maintaining their integrity is essential.
- Visitor education and control is essential to protect special values.
- Management decisions need to be mindful of long-term impacts when considering short-term objectives.

6.1 Landscape, Geology and Soils

Our Aims

- The natural scenery and character of the reserve preserved.
- Soil erosion minimised and eroded areas rehabilitated.
- The reserve's landscape understood, respected and appreciated by visitors.

Background

Landscape

The spectacular, coloured sandstone cliffs from which the area takes its non-Aboriginal name are the most striking feature of the reserve. Facing north-west, the white, yellow and orange surfaces glow brilliantly in the setting sun. The large claypans adjacent to the cliffs add to the area's landscape values. When water collects in the claypans, it mirrors the colours of the cliffs, creating a scene that is the reserve's most powerful visitor attraction.

While the Traditional Owners appreciate the natural beauty of this landscape, they also see it differently from non-Aboriginal people. Rather than being the result of geological processes, the landscape depicts the actions of ancestral beings during creation times. This perspective adds to the appreciation of the reserve's landscape and the importance of protecting it.

Our country — it's not just a landscape, it's a living icon.

It is vital to keep views of *Wurre* and the claypans unspoilt by development and the activities of visitors. To date, development on the reserve has been low key. In the construction of access, facilities and infrastructure, care has been taken to minimise visual and environmental impact. This approach should continue.

Geology

In scientific terms, the coloured cliffs and adjacent isolated rock outcrops are composed of Hermannsburg Sandstone estimated to be about 350 million years old. Mereenie Sandstone underlies the reserve and makes up most of the James Range to the south. Both rock types contain examples of curved and vertical joints, exposed white sandstone erosion surfaces, iron staining, honeycomb erosion and fossils. These sandstones are very soft. Their natural and archaeological features are easily marked and damaged.



Honeycomb weathering in Hermannsburg Sandstone

Minerals exploration has occurred on the reserve, although no mining has taken place. Two mining reserves, declared under Section 178 of the *Mining Act*, take in two areas of the reserve. Mining reserve RO 846 lies over the western portion of the reserve and RO 369 includes a small area inside the eastern boundary. The reserve's small area means that the impact of mining activity is likely to be significant. The Traditional Owners have expressed opposition to any form of exploration or mining activity on the reserve. Before granting a mining or petroleum interest in a park, the Northern Territory Minister for Mines is required to consult the joint management partners through the Minister for Parks and Wildlife.

Visitors to the reserve are interested in learning about the area's geology, landforms and Aboriginal creation stories.

Soils

Most of the reserve's soils are windblown sands. These soils form the sand plain and scattered sand dunes across the north and west of the reserve. In some areas, the soils are highly susceptible to erosion. These areas include the sand dunes and ridges fringing the claypans, the aprons of fine soils around the sandstone outcrops, and the larger and steeper sand dunes. Previously uncontrolled visitor activity has caused damage to these areas. Vegetation cover has been removed, resulting in wind scour and considerable soil loss. The camel tours that used to pass through the reserve caused significant impacts in many areas. The original access road that closely follows the edge of the claypan is poorly located. It has altered natural drainage patterns and contributed to unstable soils for most of its length.

Directions

- 6.1.1 The natural character of the reserve will be protected. Any development will be carefully sited, designed to be in harmony with the natural environment, and will not detract from the reserve's outstanding landscape and scenic values. As far as possible, developments will avoid major earthworks, excavations or other disturbances.
- 6.1.2 A new all-vehicle access track on the existing planned alignment will be developed as a priority and the original access track into the reserve will be closed and rehabilitated.
- 6.1.3 Signs will advise visitors to stay off the claypans and not climb or interfere with sandstone outcrops. Access on to the claypans will be subject to a permit for filming or research, or in relation to approved concessionary operations.
- 6.1.4 The Parks and Wildlife Service will seek to have a mining reserve (Reserve from Occupation) declared over the entire Rainbow Valley Conservation Reserve.
- 6.1.5 Materials such as rock, sand and gravel may be extracted from within the reserve in small quantities for works on the reserve, subject to the approval of the Traditional Owners and the laws of the Northern Territory, and provided impacts are controlled and minimal.

6.2 Water Resources

Our Aims

- Ground and surface waters free from contamination.
- Natural processes relating to surface and ground waters maintained.

Background

The reserve is located in Australia's arid zone. Rainfall is highly variable and periods of drought are common. The median annual rainfall for nearby Alice Springs is 286 mm. Evaporation is extremely high at more than 3000 mm per year.

There are no permanent surface waters within the reserve and few ephemeral waterholes in the eastern James Range. There is one rockhole on the Reserve that holds water for a long time after rain. This site is culturally significant. In old times it would have enabled Aboriginal people to use the area after rain, to harvest and grind the plentiful grass seed and create the area's rock art that can be seen today.

The Reserve's claypans are significant places for their cultural and natural value



The reserve overlies important underground aquifers in the Mereenie and Hermannsburg Sandstones. These aquifers, which yield good quality water, are recharged by the movement of ground water from both recent and ancient rainfalls, and from seepage from nearby creeks.

The reserve is located within the Alice Springs Water Control District and is subject to provisions under the *Water Act*. It is not known whether the reserve's ecosystems could be affected by ground water levels. Ground water levels in the reserve could be affected by uncontrolled extraction for nearby land uses such as mining, horticulture, pastoralism or public water supply. As the aquifers are close to the surface, local contamination from toilets and fuel storage is a risk if not carefully managed.

There is one bore in the reserve equipped with a diesel motor. Bore RN 13669 yields about 1.25 litres per second of very high quality water suitable for human consumption. This bore supplies the nearby ranger camp. Under the terms of a long-standing agreement, the neighbouring land holder, Orange Creek Station, pumps large amounts of water from this bore to cattle watering points outside the reserve. The Parks and Wildlife Service maintains the bore.

The claypans adjacent to *Wurre* have significant value both culturally and as a wetland environment. They are a good example of large intermittent freshwater lakes that attract a variety of nomadic waterfowl after rain. This habitat is significant due to the presence of a rare plant (see Section 6.3 on page 33). When wet, the claypan environment is very vulnerable to damage if people, vehicles or large animals traverse it.

Directions

- 6.2.1 Any fuel storage facilities will incorporate appropriate spill protection measures.
- 6.2.2 Sealed system toilets will be installed at the ranger camp and visitor area to reduce the risk of ground water contamination.
- 6.2.3 Arrangements with Orange Creek Station regarding use of Bore RN 13669 will be monitored and the terms of use reviewed.
- 6.2.4 Access onto the claypans when wet will not be permitted under any circumstances.

6.3 Native Plants

Our Aims

- The natural diversity of plant communities and species maintained.
- Knowledge and understanding of the reserve's flora improved, including cultural uses and values.
- The most significant species recorded, monitored and protected.

Background

The reserve is an important bush food place and the Traditional Owners have considerable knowledge about traditional uses of the area's native plants. This includes knowledge about bush tucker and medicines, tools, ceremonial uses and other cultural uses. This knowledge is part of an ancient tradition and the Traditional Owners want to pass it on to their young people. They also want to share some information with visitors as an expression of their ongoing connection to this country. The Traditional Owners are entitled to use the natural resources of the reserve for cultural purposes and they will continue to do so to keep their culture strong.

It's an important bush tucker and bush medicine area.

For its small area, the reserve contains a remarkable diversity of plant communities and species. Over 400 plant species have been recorded in the reserve. In the western part accessible to visitors, the low-lying claypans, sandplains and dunes support a mainly sparse vegetation cover dominated by acacia shrubs and spinifex with pockets of coolibah. These communities run up to the edge of the James Range sandstone where Mulga and Hill Mulga are dominant. Desert Oak is more dominant in the sandy dunes and plains east of *Wurre*. Creek-line, mallee and cypress-pine communities can also be found on the reserve. The dune and claypan habitat types are particularly important because, at present, they are poorly represented within the Territory parks system.



White Spider-flower, *Grevillea albiflora*

According to White et al (2000) the reserve's following species have special conservation value:

- *Eremophila Rainbow Valley* is a low-lying sandplain shrub with a highly restricted range. It is not protected in any other reserve at present and is the subject of ongoing monitoring in the reserve, in particular the species' response to fire. It is listed as vulnerable at the national level under the *Commonwealth Environmental Protection and Biodiversity Conservation Act*.
- *Daviesia arthropoda* is a shrub that grows on sand dunes in the reserve and is considered rare at the national level. It is known nationally from only a few highly specific habitats. In central Australia, it is also reserved in Watarrka and Uluru National Parks.
- *Atriplex sturti* is a saltbush which, in the Northern Territory, is known only from Rainbow Valley where it grows on the claypan margins.
- White Spider-Flower, *Grevillea albiflora*, is a tall shrub that grows to a height of eight metres and is not reserved elsewhere in the Northern Territory.
- The Samphire *Tecticornia verrucosa*, a dark green fleshy-leaved plant, is found on the reserve's claypans. This reserve lies at the eastern edge of its known range.

Curly pod Wattle,
Acacia sessiliceps



Areas of the reserve are in varying stages of recovery from the past impacts of cattle, camels, donkeys, rabbits, fires and people. Until the reserve was fenced in 1985, cattle frequently grazed and trampled the sandplains and alluvial flats.

Protection of the reserve's species requires knowledge of what species exist and where they live, aspects of their ecology, and threats within their environment. In 1997, the vegetation of the reserve was mapped using biophysical methods. This involved mapping on the basis of distinct biophysical characteristics such as vegetation, soils, landforms, slope and aspect. With computer-based geographic information systems, rangers are able to read and analyse this data to carefully plan action to control the threat to important species and species diversity posed by wildfire, weeds, feral animals and human activity.

Biophysical data also provides a platform for monitoring flora and fauna over the long term. For this reserve, 45 different vegetation units have been mapped on a scale of 1:50000. Vegetation communities change over time. Keeping biophysical data accurate and useful therefore requires that field surveys are repeated and data sets are updated from time to time.

Directions

- 6.3.1 Traditional names and uses of plant species will be recorded by the Traditional Owners. This information may be shared with visitors in accordance with protocols for the use of indigenous cultural and intellectual property. See also Direction 3.2
- 6.3.2 As Traditional Owners see fit, the cultural values of vegetation will be incorporated into biophysical data sets to assist management decision-making.
- 6.3.3 The impact of traditional harvest of plant foods and materials will be monitored and managed to lessen impacts, if necessary.
- 6.3.4 The reserve's diversity of flora will be protected through continued strategic management of weeds, feral animals and fire. (See Sections 6.5, 6.6 and 6.7.)
- 6.3.5 The integrity of biophysical data sets will be maintained by resampling vegetation and updating data as necessary.
- 6.3.6 Plant species of highest cultural and/or conservation value will be subject to dedicated monitoring and protection from threats.



Tecticornia verrucosa is a samphire that grows on the reserve's claypans

6.4 Native Animals

Our Aims

- The park's natural diversity of fauna protected.
- Knowledge of the park's fauna improved.

Background

The fauna of Rainbow Valley Conservation Reserve is characteristic of the region and the diversity of habitats found within the reserve. The claypan and sandplain habitats are especially valuable as a part of the Territory's protected area system. Fauna records for the reserve to date include 110 bird species, 20 mammal species, 46 species of reptile and three species of frog. Relatively common species such as the emu, bats, dingo and honey ant have special cultural meaning for Traditional Owners.

The Black-flanked Rock-wallaby, *Petrogale lateralis*, is the only mammal species recorded with a conservation listing under legislation. It is listed near threatened under the *TPWCA* and vulnerable under the *Commonwealth Environmental Protection and Biodiversity Conservation Act*. Bat species known from the reserve include Gould's Wattleed Bat, *Chalinolobus gouldii*, and the Lesser Long-Eared Bat, *Nyctophilus geoffroyi*. The Euro, *Macropus robustus*, is probably the most commonly seen native mammal. Seven non-native species have been recorded (see Section 6.6 on page 40). The sandy habitats of the reserve give promise that one of Central Australia's most intriguing animals, the Marsupial Mole, *Notoryctes typhlops*, may one day be discovered in the reserve.

Of the birds recorded, many are associated with the fire-sensitive open woodland and shrubland habitats. The flowering stands of *Grevillea* and *Eromophila* on the ranges are prime breeding habitat for migratory Black, Brown and Pied Honeyeaters. The Canegrass *Zygochloa paradoxa*, and mature spinifex communities that fringe the reserve's claypans, are important habitat for the White-winged Fairy-wren, an attractive and rarely seen species.

The Black-flanked Rock-wallaby, *Petrogale lateralis*



There are also reports of the Scarlet-chested Parrot, *Neophema splendida*, being seen in the reserve. The Grey Falcon, Redthroat and Red-tailed Black Cockatoo are listed as lower risk near threatened under the *TPWCA*. The Australian Bustard and Emu are listed as vulnerable in the Northern Territory.

The claypans are habitat for some of the reserve's most interesting species. After rain, waterbirds such as the Grey Teal, Australasian Grebe, Black-winged Stilt and Red-necked Avocet are common. Also appearing in the claypan waters, the shield shrimp, *Triops australiensis*, is a remarkable small crustacean whose life cycle is fascinating to many visitors. The claypans are also home to the Trilling Frog, *Neobatrachus centralis*, a burrowing species that may spend most of its lifetime under the claypan, coming to the surface only after rain.

The reserve's rich reptile fauna includes six species of monitor lizard, ten gecko species, fifteen skink species and five species of dragons including the iconic Thorny Devil, *Moloch horridus*. Only the Centralian Carpet Python, *Morelia bredli*, has any special conservation listing. It is listed lower risk near threatened under the *TPWCA*.

Fauna surveys were first carried out on the reserve in 1986. Vegetation mapping of the reserve in 1997 has enabled systematic sampling of the reserve's fauna by vegetation unit. This work has added to the reserve's species list as well as understanding of species-habitat relationships. This data helps inform decisions to protect the reserve's biological diversity.

While the Traditional Owners are entitled to hunt animals in the reserve, they believe the environmental impact of hunting would be too great for what is a small reserve. They wish that no hunting take place in the reserve.

Directions

- 6.4.1 The reserve's natural diversity of fauna will be protected through continued control of weeds, feral animals and fire. (See Sections 6.5, 6.6 and 6.7 on pages 38-44.)
- 6.4.2 Research, survey and monitoring of the reserve's fauna will continue, incorporating the combined knowledge and methods of the joint management partners. The fauna survey program based on vegetation units will continue and biophysical data sets will be updated accordingly. Species of very high cultural and/or conservation value, identified as living on the reserve, will be given particular protection.
- 6.4.3 There will be no hunting on the reserve.
- 6.4.4 Traditional stories relating to animals of the reserve will be recorded and may be shared with visitors when appropriate, and in accordance with protocols for the use of indigenous cultural and intellectual property. See Direction 3.2 on page 18.

6.5 Weeds

Our Aim

- The impact of weeds on the native plants, animals and natural environment of the reserve minimised.

Background

Weeds are plants that have no natural belonging to a place. They can have a marked impact on the natural environment. In parks and reserves, it is important to control and eradicate these plants where possible. This is because weeds can displace native plants, reduce food for native animals and upset the natural balance between fire and habitat. Their impact on the biological diversity of an area can be disastrous. Weeds can also annoy people and reduce the aesthetic character and overall value of a landscape.

The reserve's Traditional Owners share all these concerns with their management partners. One direct consequence of weeds they have noticed is a decline in traditional bush foods.

Years ago, before buffel, we used to dig for yalka (bush onion). Now we can't find any.

The reserve is relatively weed-free. To keep it this way, weed control must continue to be a major priority.

To be effective weed control activity on the reserve must be strategic and follow well-considered long and short term plans. Weed management strategies are reviewed every few years to establish guidelines for annual action plans. Although other weed species are present, only buffel grass, Mossman River grass and caltrop have so far deserved management attention.

Buffel grass is an aggressive invasive species that can take the place of native vegetation if not managed.



Caltrop, or three-cornered jack, is mainly a weed of annoyance that causes little environmental impact. It grows mainly in areas visited by people and is relatively easily controlled. Mossman River grass is a close relative of buffel grass. Although a more serious weed than caltrop, Mossman River grass is also generally confined in the reserve to areas visited by people.

Buffel grass, *Cenchrus ciliaris*, is widespread in central Australia. It is an aggressive invader that is very damaging to natural ecosystems. Its impacts relate to fire and to the physical exclusion and competition with native species.

The past control of buffel grass at Rainbow Valley has been a strategic process. Detailed vegetation mapping and survey of the park has allowed the areas with high biodiversity values to be defined. These areas have been subject to focussed effort. Other consideration before a control program was initiated on the park included assessing the density and distribution of buffel both in the park and areas surrounding the reserve. The regional biodiversity values of the park, and the possibility of spread across land tenures was also considered. Control on the park is catchment-based and systematic. It has lead to significant decreases in the density and distribution of buffel grass in the reserve. Although permanent eradication of the weed from the park will not be possible, it is envisaged that it will be possible to reduce the intensity of control effort in the future.

Directions

6.5.1 Management of weeds will continue to be strategic and take a long term approach. Management strategies and annual action plans will give particular attention to:

- Effective and efficient survey and monitoring.
- Practical weed control methods.
- Keeping areas of special conservation or cultural value weed-free.
- Practices to minimise weeds being brought into the reserve.
- Traditional Owners' cultural concerns.
- Employment for Traditional Owners.

6.6 Feral Animals

Our Aim

- The impact of feral/introduced animals on the native plants, animals and natural environment of the reserve minimised.

Background

Feral animals are animals that have no natural belonging to a place. Due to the environmental and ecological damage they cause, it is important to control and eradicate them from reserves where possible. Feral animals known to have existed in the reserve include cattle, camels, horses, donkeys, rabbits, wild dogs, foxes, house mice and cats. Large grazing animals and rabbits compete with native animals for food and water, damage traditional bush foods, cause soil erosion and can foul waterholes and damage cultural sites. Predators such as dogs, cats and foxes can have disastrous impacts on populations of small and medium-sized reptiles and mammals. The Traditional Owners have historical associations with camels, but nonetheless would like to see them excluded from the reserve.

Since the reserve was fenced in 1986, the occurrence of large grazing animals within its boundaries has been rare. Camel tours continued in the reserve into the mid 1990s. Since then, applications to operate camel tours under licence have been refused due to soil erosion and weed spread caused by the animals. Wild camel numbers on surrounding country are relatively low. Camels and cattle occasionally break through the reserve's fences but are usually quickly removed, often with the cooperation of neighbouring landholders.

Feral cats and foxes are difficult to control. Populations in central Australia are generally very sparse. No effective broadscale control for feral cats has yet been discovered. Fox control is costly and must be matched strongly to conservation goals. It is also impossible using current best methods to control foxes without impacting on dingos.

Camels occur in the local area and can break through boundary fences into the reserve.



Since Rabbit Calicivirus Disease (RCD) arrived in central Australia in the early 1990s, rabbits have been scarce or non-existent in the reserve. Prior to RCD rabbits caused significant damage to the reserve and were the likely cause of erosion problems around the base of the cliffs. Rabbits have been found in the *Daviesia arthropoda* rare plant community and could threaten this local population.

Visitors may only bring pets into the reserve with a Parks and Wildlife Service permit, issued only in special circumstances.

Directions

- 6.6.1 The reserve will be monitored for the presence of feral animals. Cost effective controls agreed by the joint management partners will be employed when appropriate.
- 6.6.2 Stock-proof boundary fences will be maintained to a high standard.
- 6.6.3 The joint management partners will work closely with the Orange Creek neighbours to keep cattle out of the reserve.
- 6.6.4 The joint management partners may approve applications to operate camel tours in the reserve, provided that protection of the natural and cultural values of the reserve can be fully assured.

6.7 Managing Fire

Our Aims

- Minimise the damaging impacts of fire on the native plants, animals and natural environment of the reserve.
- Minimise the risk of wildfires threatening people and property.
- Improved understanding about fire in the landscape, including traditional Aboriginal fire management practices.

Background

Fire has long been a part of the central Australian environment and has played a major part in shaping the region's flora and fauna. For countless generations, Aboriginal people used fire as a tool to manage the landscape and assist hunting and foraging. Aboriginal burning resulted in a patchwork of vegetation communities at different stages of recovery from fire. This effectively meant large wildfires were few and habitat diversity was promoted.

When pastoralism became a major use of the land, the effect upon pre-existing fire patterns was dramatic. Grazed areas had less fuel and acted as firebreaks for adjacent ungrazed country. At the same time, outright fire prevention became a goal. As a result, higher fuel loads built up over extensive areas that were less heavily grazed. This led to large and intense wildfires, usually started by lightning. A landscape with large areas of vegetation in similar stages of regeneration was created, with less diversity of habitats.

For many years, fire management has been a key program for conserving the reserve's biodiversity. Two approaches have been taken. First, firebreaks are created around areas of high biological value by burning fuel in a highly controlled way. Second, patchy burning is carried out in the reserve to promote diversity and reduce the risk of wildfires burning large areas in single events. Fuel is also reduced around visited areas to reduce risk to people and property. Firebreaks may also be cleared by grader.

Controlled fuel reduction burn



Under joint management, rangers and Traditional Owners will work side by side, integrating knowledge and practices to protect the reserve's values from wildfire. Rangers' patch-burning methods have largely mimicked traditional approaches.

The old people were careful and just burnt small bits here and there.

In recent years, fire management on the reserve has adopted a strategic approach with annual action plans being directed by a strategic plan that is reviewed every few years.

Lightning is a common cause of wildfires. Summer wildfires can be very destructive and back-burning from firebreaks is usually the only way of controlling them. Wildfires on the reserve are fought and extinguished if possible.

It has been found that vegetation regenerates better if burning takes place after rain, rather than at times of very low soil moisture. Where possible, prescribed burning is undertaken within a few days of rain. This approach also protects the surface soil structure.

By mapping fires and monitoring the recovery of vegetation after fire, the relationship between different types of fire and vegetation is becoming better understood. In recent years, spatial and other data relating to fires in the reserve has been merged with the reserve's biophysical data. With this data, fire management planning and decision-making is based on sound information; fuel loads can be estimated, fire exclusion areas identified and firebreaks planned.

A fire regime is defined as the pattern of fire in regard to intensity, seasonality and frequency. In time, the detailed habitat data recorded through biophysical mapping will also assist monitoring of vegetation recovery and improve understanding of the effects of different fire regimes on vegetation types. Fire can also be used with other methods to manage weeds such as buffel grass.

Fire can enter the park from neighbouring land. It can also originate in the park and enter neighbouring land. Fire protection is then a matter for communication and cooperation with neighbouring land holders.

Visitors are permitted to have fires only in fireplaces provided.

Directions

6.7.1 The joint management partners will continue to take a strategic approach in managing fire. The general direction of fire management will look ahead at least two years and up to five years. Action plans will be agreed each year. Fire management planning and action will consider each of the following:

- Protecting people, personal property and park facilities from fire.
- Protecting rare and/or fire-sensitive plants and communities from fire.
- Protecting from fire sites and areas of the reserve identified by Traditional Owners for cultural reasons.
- The interests and involvement of the reserve's neighbours.

- Mapping fires and otherwise maintaining spatial and other data that will inform sound fire management decision-making and help understanding of fire-habitat relationships.
 - Dividing up areas of high fuel loads to reduce the chance of large wildfires.
 - Reducing fuel and/or maintaining firebreaks on boundary areas to prevent wildfires entering the park from outside.
 - Standard procedures for planning and conducting prescribed burns.
 - Protocols in the event of a wildfire, including seeking the advice and involvement of Traditional Owners.
 - Maintenance of fire management equipment.
 - Training requirements and competency standards for Parks and Wildlife Service staff and participating Traditional Owners.
 - Communicating essential fire management or fire protection messages to visitors.
- 6.7.2 In the Visitor Zone, open fires will be restricted to provided fire containment facilities only.
- 6.7.3 In the Conservation Zone, camp fires may be permitted subject to conditions to minimise impacts and risk of wildfire. (see Section 4 on page 21).

7. Managing Visitors



Sharing the Reserve

It's okay for people to go there, as long as they look after that place - and themselves.

Introduction

This section of the Plan talks about managing for visitors. Traditional Owners enthusiastically welcome visitors to the reserve. They want very much to share their country and culture. They also want visitors to respect the area's values, both cultural and natural, and to learn about and enjoy the Reserve safely. The joint management partners believe good visitor information is a key to those outcomes. They also want visitors to have well maintained facilities befitting the reserve's character.

Principles for managing visitors — what we believe is important:

- Visitors will be encouraged to enjoy the reserve in ways that respect and protect cultural and natural values.
- Visitors should have opportunities to learn about the values for which the reserve has been set aside. Appropriate information for visitors enhances their experience and encourages appropriate behaviour.
- The safety of park visitors is of primary importance.
- The reserve's zoning scheme will be the basis for regulating visitor access.
- Well designed facilities and infrastructure protects reserve values and promotes positive visitor experiences.
- In planning visitor facilities, equity of use including gender and physical impairment should be considered.
- Liaison with the tourism industry can help promotion and management of visitor activities on the reserve.
- Monitoring visitor numbers, characteristics, activities and satisfaction helps sound management planning.



Interpretive signage for visitors at the reserve

Our Aim

- Visitors enjoying the reserve safely and with respect for the area's values.

Background

Existing Use and Facilities

Rainbow Valley Conservation Reserve is a significant regional tourism attraction. Since the mid 1990s more than 10 000 people have visited the reserve each year. Most visitors are independent travellers and on average spend about one hour on the reserve. Many come in the late afternoon to revel in and take photographs of the famous spectacle of sunset on *Wurre*. About half the reserve's visitors take the thirty minute return walk to Mushroom Rock to further enjoy the scenery including remarkable formations in the sandstone outcrops.

Visitor facilities are low-key. They include parking for 18 vehicles, wood and gas barbecues for about six groups and one pit toilet. A short track from the car park leads visitors to an information shelter where a short walk along an elevated boardwalk leads to a dune-top viewing platform with bench seating and interpretive signs. The joint management partners would like to install improved directional signage and more shade shelters in the day-use area during the term of this plan. Surveys in 2001 found that visitors were highly satisfied with the facilities and their experience of the reserve.

Of about sixteen tour companies that bring visitors to the reserve, four or five visit regularly and stay for about one hour. These are mainly smaller, local operators. It is important that tour operators have a sound understanding of the reserve's cultural values and are able to pass on accurate and appropriate information to their clients.

Many visitors are inspired to visit the reserve to photograph the well-known images of *Wurre*. After rain especially when the claypans are filled with water, photographers flock to the area. In trying to capture the claypan in the foreground, visitors often ignore signs advising them to not walk on the claypan. This is a significant environmental and cultural issue that may be solved with better interpretation and by building a facility to provide the views of *Wurre* that visitors so eagerly seek.

Signs are necessary to ask visitors to stay away from sensitive areas.



We welcome people with open arms but they need to respect our heritage. They need to show the same respect we would show if we went to their country or home.

Rangers currently offer weekly camp fire talks to visitors during the tourist season. This type of activity could be offered by Traditional Owners on a commercial basis. Static visitor information is provided in the information shelter, a sign at the lookout and signs on the walk to Mushroom Rock. Interpretation focuses on the geology and landforms of the area. Traditional Owners believe the following key messages and themes communicated to visitors would help their appreciation of the reserve while promoting appropriate behaviour and safety:

- Visitors are welcome.
- The reserve is alive with cultural values.
- Respect our land and culture.
- Fascinating personal histories of Traditional Owners.
- How joint management works.
- Stay safe and don't climb the rocky outcrops.

About 70 percent of visits take place between June and August. Camping at the day-use/ camping area is popular at these times and it is not uncommon for available camping space to be filled during the mid-year holiday period. If demand increases, consideration may need to be given to expanding or relocating the camp ground during the term of this plan. Traditional Owners are interested in providing a commercial camping service within or close to the reserve.

Access

Access to the reserve is via a 22 kilometre unsealed road off the Stuart Highway. This road is suitable for conventional vehicles driven with care. Vehicle access within the reserve is a 1.4 kilometre track that winds around the southern edge of the claypan system. The internal access track is four-wheel drive standard. Plans are in place to re-align it away from the claypan edge and to upgrade the track to conventional vehicle standard.

There is one marked walking track in the reserve, which leads from the information shelter to Mushroom Rock. Intrepid bushwalkers occasionally want to explore areas of the reserve further east of *Wurre*.

Special access may be allowed within parks and reserves under By-law 8 of the Territory Parks and Wildlife Conservation By-laws. The permitting process provides the means by which conditions and routes can be communicated to bushwalkers so that culturally sensitive sites can be avoided in accordance with Traditional Owners' wishes. Permits may be issued that are flexible in terms of group membership and timeframe in which walks take place. No fee is payable for these permits. Traditional Owners do not want details of culturally sensitive areas presented in this plan.

Aboriginal people feel responsible if accidents happen on our land.

Rainbow Valley is a relatively safe place for visitors. Climbing sandstone outcrops and taking extended walks in hot weather are potential hazards. Visitor information advises against these activities. Traditional Owners are also concerned people accessing cultural sites without proper authority.

Weddings and other public gatherings are occasionally held at the reserve. Such activities are subject to permits issued under *Territory Parks and Wildlife Conservation By-Laws*.

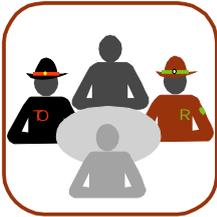
Directions

- 7.1 Visitor access, activities and facilities within the reserve will be managed and developed according to this plan's zoning scheme.
- 7.2 When funds become available, an additional walking track will be developed west from the parking area to a lookout facility. The site and design selected will provide superb views of *Wurre* with the claypan in the foreground, while protecting cultural and natural values. (See Map 2.)
- 7.3 Bushwalkers wanting to explore the remote areas of the reserve will be permitted in line with the zoning scheme. The Parks and Wildlife Service will issue By-law 8 permits under the Territory Parks and Wildlife Conservation Act. Permit conditions will be set by the joint management partners.
- 7.4 Existing visitor information will be reviewed and improved, incorporating the key messages and themes stated above. Signs will advise visitors to not access culturally sensitive places such as the claypan. In accordance with protocols for the use of Indigenous cultural and intellectual property, words and language of the Traditional Owners will be used in visitor information to enhance visitors' appreciation of *Wurre* and the area as a place of important Aboriginal values. See Direction 3.2
- 7.5 The joint management partners will provide tour operators using the reserve with information to assist them and make sure that what is imparted to their clients is accurate and appropriate.
- 7.6 The reserve's Traditional Owners will be encouraged to take up commercial tourism opportunities including camp fire talks, camp ground hosting, camp ground maintenance and cultural tours.
- 7.7 The parking/camping area may be expanded to accommodate increasing visitor pressures or to provide a better visitor experience. If feasible, camping will be provided for at another site within or near the reserve on a commercial basis and the existing area will be for day-use only.
- 7.8 Public gatherings on the reserve will be subject to permits issued under By-Law 25 with guidelines permitting normal use only.

This plan proposes more walking and viewing opportunities for visitors



8. Managing Business



We need to have a final say on how our product is marketed, including images.

We want to build relationships with anyone and everyone that can assist.

Introduction

This section of the Plan addresses the joint management partners' interests relating to good relations with neighbours and partners, including people in the tourism and film industries. This section also looks at the business of managing operational resources and other activities important for effective management, including engaging stakeholders, administering commercial operations and promoting the reserve. Good management decisions need good information so this section also looks at the business of research, survey and monitoring.

Principles of effective business management—what we believe is important:

- Adequate staffing, financial and operational resources are basic for effective management.
- Progress is achieved by competent, well-trained staff working towards outcomes.
- Appropriate and well-managed commercial enterprise can contribute to the local economy, enhance opportunities for visitors and reduce visitor impacts.
- The public image of the reserve must be in keeping with the reserve's vision.
- Public support for the reserve is important and engaging stakeholders and the broader public in the reserve's management helps deliver good outcomes.
- Research, survey and monitoring of natural and cultural resources makes for better informed management decisions.

8.1 Management Resources and Operations

Our Aim

- The aims of this plan achieved with adequate resources efficiently used.

Background

Rainbow Valley Conservation Reserve is an unstaffed reserve, currently managed as part of the Parks and Wildlife Service's Central District Parks operations, based in Alice Springs. The resources for the reserve—including staff, funds and capital resources such as vehicles—are shared among the other parks and reserves of the district. The reserve is also part of the Northern Territory parks system funded by the Northern Territory Government. Funding to manage the reserve and develop facilities are then, subject to priorities for all parks and priorities set by the Northern Territory Government across all program areas.

The reserve is visited by rangers at least weekly during the cooler months when visitor activity is highest and less frequently at other times. At the time of this Plan being prepared, nine rangers are working in Central District Parks. Three permanent positions are filled by Aboriginal people. One of these is a Traditional Owner of the reserve. Two are trainee rangers.

The Parks and Wildlife Service aims to have a professional ranger work force. This requires appropriate recruitment, training, mentoring and performance appraisal programs. The service has a long-term goal of increasing the recruitment and retention of Aboriginal people in the ranger work force, including career progression.

The Parks and Wildlife Service also offers periodic casual employment, and training opportunities, to Traditional Owners of parks and reserves. The flexibility of this program appeals to Traditional Owners. It builds relations between the partners and brings about valuable knowledge and skills exchange.

We want our own people working on land.

Managing the reserve remotely is costly and joint management is an opportunity to create new efficiencies. In time it is hoped that management programs for the reserve can be partly or fully contracted out to local Aboriginal businesses with benefits to Traditional Owners. Examples of possible contracts include seasonal servicing of visitor facilities, maintaining fence lines and building new infrastructure. Joint management agreements provide for preference to be given to local Aboriginal people and businesses that apply for contract work.

Joint management also brings opportunities to supplement normal government funding and to fund additional projects from external grants programs.

A ranger camp with basic amenities is located in the Conservation Zone. Its increasing use for overnight management activities and joint management meetings justifies improvements to the camp or an entirely new facility.

The joint management plan must contain a process for considering the expansion of the reserve. No such proposals are foreseen within the term of this plan.

Directions

- 8.1.1 The joint management partners will plan budgets and operations for the reserve as a part of Central District Parks, through annual general meetings. See Direction 3.4 on page 18.
- 8.1.2 External funding will be sought for suitable projects.
- 8.1.3 The Parks and Wildlife Service will continue to support flexible work and training programs for Traditional Owners and their families in cooperation with other organisations.
- 8.1.4 Traditional Owners and Aboriginal organisations they support will be preferred contract service providers for the Parks and Wildlife Service.
- 8.1.5 Amenities at the ranger camp will be improved. A new management facility (ranger base) may be developed if management operations warrant it, subject to normal cultural, environmental and financial considerations.
- 8.1.6 Expansion of the reserve will be considered by the joint management partners if and when such opportunity arises.

8.2 Promoting the Reserve

Our Aim

- Promotion and marketing of Rainbow Valley Conservation Reserve, presenting accurate and appropriate information and images.

Background

The joint management partners want the reserve to have a positive public profile. Media coverage and other forms of promotion can help public support for the reserve with flow-on benefits to the partners and the Northern Territory. Accurate promotion and marketing of the reserve gives visitors appropriate expectations. It also influences visitor numbers, behaviour and satisfaction.

It is important for the joint management partners to have clear guidelines for promotion of the reserve and to work collaboratively with other stakeholders involved in promotion. Information about the reserve and images of *Wurre* are publicised by the Parks and Wildlife Service, Tourism NT and private tourism operators. The reserve is also the subject of commercial filming and photography (see Section 8.3 on page 52).

The reserve has a long history of Aboriginal association. The reserve's main feature had the name *Wurre* long before it became popularly known as Rainbow Valley. Many other features on the reserve have Aboriginal names that Traditional Owners would like to see promoted and brought into regular use.

Directions

- 8.2.1 The joint management partners will collaborate with governments and private interests involved in the reserve's promotion and ensure that publicised images and messages are accurate, appropriate to the reserve's values and vision and consistent with protocols for the use of indigenous cultural and intellectual property. See Direction 3.2
- 8.2.2 Traditional Owners will be informed of marketing and promotional activities relating to the reserve. They will be consulted when there may be conflict with their views and interests. Engagement with the tourism industry will be formalised through a specific consultative group of the joint management partners if the partners agree there is benefit in doing so.
- 8.2.3 The traditional place name *Wurre* will be used in interpretive media and promotional material relating to the reserve.
- 8.2.4 The Tourism NT image gallery will be used as a resource for mainstream promotion of the Reserve.

8.3 Commercial Activity, Leases and Licences

Our Aim

- Commercial use of the reserve serving the interests of the public and the joint management partners, appropriate for the vision of the reserve and compliant with this plan, relevant laws and regulations.

Background

Commercial activities on Northern Territory Parks and Reserves require a permit under By-Law 13 of the *Territory Parks and Wildlife Conservation By-Laws*. These permits state the rules and regulations that permit holders must abide by to ensure their activities have minimal impact on the environment and other park users. As of 2006, tours and filming have been the only commercial activities carried out in the reserve.

The reserve is currently a destination for about 16 tour companies which use the area without special rights or conditions. In April 2006, the Parks and Wildlife Service introduced the Tour Operator Permit System. Tour companies visiting any Northern Territory park or reserve need to have a permit issued under this system.

Tour operators have a strong influence on visitors' experience of the reserve. The joint management partners want information given by tour operators to be well presented, accurate and appropriate. The Tour Operator Permit System makes it possible to monitor operator activities and the impact of tour groups. It also provides a means for the joint management partners to communicate with tour operators that use the reserve.

By-Law 13 also provides for concession operations. These apply to activities involving special access or use of the park. An operational agreement sets out the rights and obligations of the concessionaire. A licence or lease may be issued where a secure form of land tenure for occupation or specific use of an area is required.

No concession permits have been issued for the reserve to date. Joint management agreements provide for preference to be given to local Aboriginal people and businesses in granting licences and leases to operate concessions. There are many opportunities that Traditional Owners may take up, including cultural tours and sales of refreshments and artefacts to visitors.



We want to develop a respectful and honest relationship with the tourism industry. We will need their help for marketing and promotion.

The image of *Wurre*, the Rainbow Valley bluff, has often featured in tourism and product advertising and occasionally in feature films. The joint management partners want to promote the reserve to tourists and to the wider community. They know that commercial photography and filming can help this to happen. They want commercial use of images of the reserve to appropriately reflect the values of the reserve and its management. They want to be actively involved in commercial filming and photography.

Practical commercial filming guidelines are necessary. Such guidelines need to recognise Traditional Owners interests and be consistent with the Parks and Wildlife Service Commercial Filming and Photography Policy and related procedures. The policy provides for individual parks and reserves to have supplementary commercial filming and photography policies, guidelines and fee schedules.

Directions

- 8.3.1 Permits for tour businesses making normal use of the reserve will continue to be issued in accordance with the Tour Operator Permit System. Information acquired from this system will be used for the better management of the reserve.
- 8.3.2 Proposals to establish concession operations on the reserve will be considered by the joint management partners.
- 8.3.3 Traditional Owners will be encouraged and supported to pursue commercial opportunities in relation to the reserve. The Parks and Wildlife Service, CLC and other relevant organisations will work together to facilitate training and business planning with Traditional Owners.
- 8.3.4 The joint management partners will develop a policy for commercial filming and photography consistent with guidelines given at Appendix 3.
- 8.3.5 Traditional Owners will attend commercial filming activities when appropriate and be paid standard fees.



8.4 Relations with Community and Neighbours

Our Aim

- A supportive regional community and productive relations with others who have an interest in the reserve's management.

Background

The reserve is a public asset and the partners are jointly accountable to the community. Management decisions can affect local livelihoods. The good management of the reserve's values and minimisation of threats is assisted by working with the interests of others. Joint management does not preclude the involvement of others in decision-making.

The Parks and Wildlife Service works closely with both the Central Australian Tourism Industry Association and Tourism NT on matters surrounding the development and promotion of tourism opportunities on parks and reserves.

The wider community and conservation groups such as the Arid Lands Environment Centre have an interest in the protection of biodiversity, particularly programs involving threatened species. From time to time, other government agencies may have reason to access the reserve, seek information or give management advice.

The reserve's immediate neighbours are the Orange Creek Pastoral Lease and the outstations of John Holland Bore North and South on land held by the Pwete Marnte Marnte Aboriginal Corporation. Land management activities — such as control of fire, weeds, stock and feral animals — can be more effective if they extend beyond reserve boundaries. This requires cooperation among neighbours.

Directions

- 8.4.1 Any community involvement initiatives that assist in achieving this Plan's aims will be actively supported. The joint management partners will keep the community and stakeholders informed about significant issues and proposed developments relating to the reserve.
- 8.4.2 The joint management partners will be proactive in working with the tourism industry through established forums and organisations such as the Central Australian Tourism Industry Association.
- 8.4.3 Managing the reserve will include regular liaison with neighbours and, when appropriate, work together on fire control, stock and feral animal control, weed control, soil conservation and tourism development.

8.5 Research, Survey and Monitoring

Our Aim

- Research, survey and monitoring activities that benefit the reserve and its management.

Background

Good management decisions need good information about the reserve's values, visitor use, environmental trends and the effectiveness of management actions.

Most research, survey and monitoring programs are carried out as internal projects by the Parks and Wildlife Service. Examples of ongoing internal projects include:

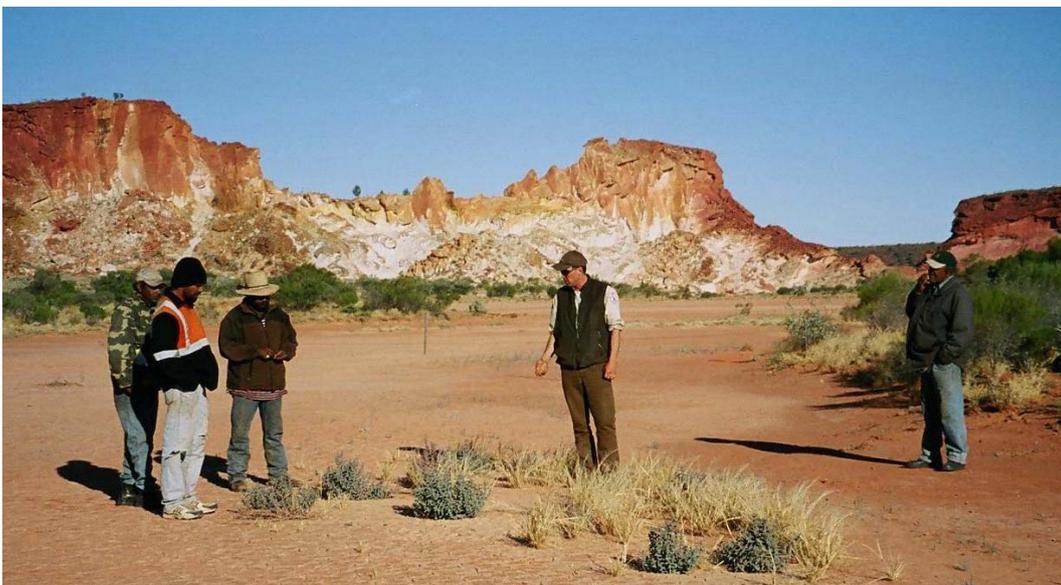
- Systematic sampling of visitor numbers, profile, activities and satisfaction.
- Monitoring the status of the rare shrub *Eremophila Rainbow Valley*.
- Surveying weeds to determine the impact of control efforts.
- Biophysical data sets as a basis for ongoing vegetation monitoring.
- Fauna survey based on vegetation units.

A significant amount of archaeological research has also been carried out on the reserve by external researchers.

External projects are encouraged where resulting knowledge is expected to contribute to improved management and no marked impact on the reserve's values is expected. Permits may need to be issued under the *Territory Parks and Wildlife Conservation By-Laws*.

Traditional Owners may have knowledge of the reserve that can contribute to research outcomes. It is appropriate they are consulted and invited to participate in research, survey and monitoring projects and employed for their participation when possible. Research and survey projects may concern Aboriginal intellectual property over which Traditional Owners must have control.

Section 3 states that joint management success will be measured against achievement of the aims in this plan and the satisfaction of the joint management partners. Selected performance indicators can provide an additional guide to managers in monitoring management performance.



*Good
management
decisions need
good information*

Researchers need to ask permission first to work on these places so we know who they are and where they come from.

Directions

- 8.5.1 Monitoring, evaluation and reporting against this plan will include:
- Review of annual operational plans and monitoring joint management partners' satisfaction, as outlined in Section 3.
 - Applying the selected performance indicators given in Appendix 1 (following page).
 - Annual reports provided to senior management of the Parks and Wildlife Service and Central Land Council.
- 8.5.2 Visitor monitoring activities will continue in the park under the Parks and Wildlife Service's visitor monitoring program.
- 8.5.3 Priority will be given to internal projects that enhance decision-making in relation to management of the reserve's key values.
- 8.5.4 Traditional Owner participation and employment in research, survey and monitoring projects will be maximised. Traditional Aboriginal knowledge will be incorporated into project objectives and outcomes where appropriate.
- 8.5.5 External research proposals will be considered by the joint management partners with approval subject to satisfaction of the following general conditions:
- The activity will not adversely impact on the reserve's natural or cultural values.
 - The project is likely to inform the better management of the reserve.
 - The activity cannot reasonably occur outside the reserve.
 - The proposal addresses Traditional Owner consent and participation in the project and protection of Aboriginal cultural and intellectual property.
- 8.5.6 The Parks and Wildlife Service may refuse project proposals without specific consultation with Traditional Owners where the project would clearly fail to satisfy the general conditions above.
- 8.5.7 Research, survey and monitoring activities by external groups or individuals involving disturbance of natural features or interference or taking of wildlife will continue to require permits issued under relevant by-laws.
- 8.5.8 Reports on external research, survey and monitoring projects will be provided to the Parks and Wildlife Service and the CLC in hard copy and electronic copy, including plain English summaries for Traditional Owners.
- 8.5.9 The CLC will review study reports prior to publication where intellectual property concerns may arise in relation to cultural information.
- 8.5.10 Research, survey and monitoring programs will be described in operational plans and be subject to annual review by the joint management partners.

9. Appendices

Appendix 1. Selected Performance Indicators

These performance indicators are intended to be an extra tool by which the joint management partners can measure the success of management. They are not the only measures of success but are considered to be the most important measures. There is a reasonable expectation they will be achieved, if not year by year then over the longer term of this Plan. When indicators are not achieved, the reasons will be established and steps taken to improve outcomes.

Section of Plan/Aim	Performance Indicators	Means
3. Making joint management work		
<ul style="list-style-type: none"> Strong management partnership with a focus on results. 	Achievement of Aims and Management Directions in this plan. (progressing)	Annual operational plan review.
<ul style="list-style-type: none"> Satisfied joint management partners. 	Partners satisfaction with joint management processes (at least 90%)	Satisfaction monitoring framework outlined at 3.7.
<ul style="list-style-type: none"> Benefits to Traditional Owners. 	Subject to Traditional Owners expressed interests and capacity: New skills acquired by Traditional Owners. (increasing) Number of days employment in relation to the reserve. (increasing) Number of contract opportunities created and taken up. (increasing) Level of income received by Traditional Owners from the reserve. (increasing)	Ongoing record-keeping and annual review.
5. Cultural Heritage		
<ul style="list-style-type: none"> The reserve's cultural heritage maintained and managed according to the wishes of the Traditional Owners and Territory and Commonwealth law. 	No significant deterioration or loss of cultural values. Traditional Owners satisfaction with control, directions and progress of cultural heritage. (high)	Site monitoring program to be developed. Satisfaction monitoring framework.
6. Natural Heritage		
6.1 Landscape Geology and Soils <ul style="list-style-type: none"> Soil erosion minimised and eroded areas rehabilitated. 	Area of active erosion. (low, declining)	Erosion monitoring program.

<p>6.3 Native Vegetation</p> <ul style="list-style-type: none"> • The natural diversity of plant communities and species protected. • Knowledge and understanding of the reserve's flora, including cultural uses and values improved. • The most significant species recorded, monitored and protected. 	<p>The reserve free from major threatening processes.</p> <p>Data added to (biophysical) databases. (increasing)</p> <p>No detectable decline in presence of <i>Eromophila</i> and <i>Atriplex sturtii</i>.</p>	<p>Flora research, survey and monitoring programs.</p> <p>Biophysical data management.</p>
<p>6.4 Native Animals</p> <ul style="list-style-type: none"> • The park's natural diversity of fauna protected. • Knowledge of the park's fauna improved. 	<p>The reserve's habitats free from major threatening processes.</p> <p>Data added to databases. (increasing)</p>	<p>Fauna research, survey and monitoring programs.</p>
<p>6.5 Weeds</p> <ul style="list-style-type: none"> • The impact of weeds on the native plants, animals and natural environment of the reserve minimised. 	<p>Density and cover of Buffel Grass. (low, declining)</p>	<p>Buffel Grass survey and mapping.</p>
<p>6.6 Feral Animals</p> <ul style="list-style-type: none"> • The impact of feral/introduced animals on the native plants, animals and natural environment of the reserve minimised. 	<p>Number of sightings of feral animals. (low)</p>	<p>Reporting opportunistic and survey sightings.</p>
<p>6.7 Managing Fire</p> <ul style="list-style-type: none"> • Minimise the damaging impacts of fire on the native plants, animals and natural environment of the reserve. 	<p>Incidents of wildfire and area of reserve burned. (low)</p>	<p>Fire mapping processes.</p>
<p>7. Managing for Visitors</p>		
<ul style="list-style-type: none"> • Visitors enjoying the reserve safely and with respect to the area's values. 	<p>Visitor satisfaction at least 80%.</p> <p>Number of safety related incidents. (low)</p> <p>Number of inappropriate incidents recorded. (low)</p>	<p>Visitor satisfaction surveys.</p> <p>Routine reporting.</p>
<p>8. Managing Business</p>		
<p>8.2 Promoting the Reserve</p> <ul style="list-style-type: none"> • Promotion and marketing of Rainbow Valley presenting accurate and appropriate information and images. 	<p>Incidents of inaccurate or inappropriate promotion. (low)</p>	<p>Ongoing recording.</p>

Appendix 2. Selected Information Sources

- Duguid, A. 2005. *Wetlands in the Northern Territory*. Volume 2: Information Collated for Individual Wetlands. A report to the Australian Government Department of the Environment and Heritage on the inventory and significance of wetlands in the arid NT. Northern Territory Department of Natural Resources, Environment and the Arts. Alice Springs.
- Galt Smith, B. 1997. *Motives for Motives*. Unpublished BA Honours thesis, Department of Archaeology and Anthropology, University of New England, Armidale.
- Gunn, R. G. 1995. *Rainbow Valley rock art recording*. Report to the AAPA and CCNT, Alice Springs.
- Kimber, R. G. 1991. *Rainbow Valley: Aboriginal rock art survey*. Report to the CCNT, Alice Springs.
- White, M. Albrecht, D. Duguid, A., Latz, P. and Hamilton, M. 2000. *Plant species and sites of botanical significance in the southern bioregions of the Northern Territory*. Volume 1; Significant Vascular Plants. A Report to the Australian Heritage Commission from the Arid Lands Environment Centre, Alice Springs, Northern Territory of Australia.
- White, M. Albrecht, D. Duguid, A., Latz, P. and Hamilton, M. 2000. *Plant species and sites of botanical significance in the southern bioregions of the Northern Territory*. Volume 2; Significant Sites. A Report to the Australian Heritage Commission from the Arid Lands Environment Centre, Alice Springs, Northern Territory of Australia.
- Ross, J. 2003. *Rock art, ritual and relationships: an archaeological analysis of rock art in the central Australian arid zone*. Unpublished PhD thesis, School of Human and Environmental Studies, University of New England, Armidale.
- Smith, M. 1988. The pattern and timing of prehistoric settlement of central Australia. Unpublished PhD thesis, Department of Archaeology and Anthropology, University of New England, Armidale.
- Smith, M.A. 1988. *The pattern and timing of prehistoric settlement in central Australia*. Unpublished PhD thesis. University of new England. Pp.236-243.
- Strehlow, T.G.H. 1971. *Songs of central Australia*. Angus & Robertson, Sydney. (entries under 'wora').
- Paterson, A. 2005. 'Hunter-gatherer interactions with sheep and cattle pastoralists from the Australian arid zone.' In P. Veth and M. Smith (eds.) *Desert peoples*. Pp. 276-292. Malden, MA: Blackwell
- Strehlow, T.G.H. 1969 *Journey to Horseshoe bend*. Sydney: Angus & Robertson
- Wood, R. 1986. *Hugh River stock reserve land claim*. Alice Springs: Central Land Council

Appendix 3. Commercial Filming and Photography Guidelines

General permit conditions:

- The NT image gallery will be promoted as a resource to manage mainstream requests for images from the tourism industry.
- The rocky bluff of Rainbow Valley should not be climbed or accessed.
- Images of certain areas must not be captured for cultural reasons.
- Limited access onto the claypan may be permitted on foot only, if the claypan is dry, under the supervision of a ranger or Traditional Owner.
- Vehicles will not be permitted on the claypan.
- Permit applications must state the intended use of the images to be taken and images may only be used for the purposes stated on the permit, if granted.
- At least ten working days will be required for consideration of filming applications.
- The ranger in charge must be notified at least five working days prior to filming, after a permit has been granted.
- Capture of images of the reserve for news and current affairs reporting will not require a commercial filming permit.

Permit approval process:

- The Parks and Wildlife Service will inform CLC of every permit application.
- The Parks and Wildlife Service may issue filming permits without consulting Traditional Owners where proposed activities comply with the general conditions above and where the intended use of the images is appropriate, low-key and in keeping with Traditional Owners' wishes.
- The Parks and Wildlife Service may refuse filming permits without consulting Traditional Owners where the proposal would have significant impact on the reserve's natural or cultural values or where the proposed use of the images would be against the wishes of the Traditional Owners.
- Permit applications will be considered by the Traditional Owner committee, and if necessary, by the full Traditional Owner group when:
 - Proposed filming involves special access or activities.
 - Proposals may be in conflict with the wishes of Traditional Owners.
 - The expected audience for the product is very large.
 - The proposal is a part of a major commercial project (e.g. a feature film).

Appendix 4. Indigenous Land Use Agreement

NORTHERN TERRITORY OF AUSTRALIA

Rainbow Valley

Framework for the Future Indigenous Land Use Agreement

IN ACCORDANCE WITH SUBDIVISION C OF DIVISION 3 OF PART 2 OF THE *NATIVE TITLE ACT*, FOR THE PURPOSE OF DEALING WITH FUTURE DEVELOPMENT, COMPENSATION AND OTHER RELATED MATTERS IN RESPECT OF A PARK IDENTIFIED IN SCHEDULE 3 OF THE *PARKS AND RESERVES (FRAMEWORK FOR THE FUTURE) ACT*

THIS AGREEMENT is made the 10th day of March 2004~~5~~

BETWEEN:

the **NORTHERN TERRITORY OF AUSTRALIA** care of the Department of the Chief Minister, 4th Floor, N T House, 22 Mitchell Street, Darwin NT 0800 ("the Territory")

AND:

the **CENTRAL LAND COUNCIL**, a body corporate established pursuant to section 21 of the *Aboriginal Land Rights (Northern Territory) Act 1976 (Commonwealth)* of 33 Stuart Highway, Alice Springs 0870 Northern Territory ("the Land Council")

RECITALS

- A. Following the decision of the High Court in *Ward*, the Territory and the Northern and Central Land Councils entered into negotiations concerning the future title and management of a number of Parks and Reserves in the Northern Territory. The Territory and the Land Councils considered that a negotiated outcome was preferred, so as to avoid expensive and drawn-out litigation that would occur over many years.
- B. Following those negotiations, the Territory enacted the *Parks and Reserves (Framework for the Future) Act* ("the Act"). The Act provides that, inter alia, the Chief Minister is authorised to execute a Joint Management Agreement over the Parks and Reserves specified in Schedule 3 of the Act.
- C. Section 10 of the Act provides that the Chief Minister is only authorised to execute a Joint Management Agreement over the Parks and Reserves specified in Schedule 3 if, inter alia, one or more Indigenous Land Use Agreements or other legally enforceable agreements have been executed dealing with compensation for the effect of the declaration or purported declaration and use of those parks and reserves on native title rights and interests, and facilitating future development in those Parks and Reserves.
- D. The area of land described in the Schedule ("the Park") is one of the Parks specified in Schedule 3 of the Act. The purpose of this agreement is to satisfy the condition set out in section 10(1)(b) of the Act, and to otherwise deal with native title issues in respect of the execution of the Joint Management Deed and actions taken in accordance with the Plan of Management for the Park.

- E. The parties have agreed to enter into this agreement to confirm that the provisions of the Act applicable to the Park have been complied with.

NOW THIS AGREEMENT WITNESSES as follows:

1. Interpretation

- 1.1 In this agreement, including the Recitals, unless the context otherwise requires:

"approved determination of native title" has the same meaning as it has in the *Native Title Act*;

"future act" has the same meaning as it has in the *Native Title Act*, and "future acts" has a corresponding meaning;

"Joint Management Agreement" has the same meaning as in the Act;

"Joint Management Partners" has the same meaning as in the *Territory Parks and Wildlife Conservation Act*;

"Joint Management Plan" means the Joint Management Plan for the Park as agreed by the Joint Management Partners and created in accordance with the *Territory Parks and Wildlife Conservation Act*;

"Joint Management Principles" means the principles for joint management of the Park at Attachment 'A'.

"*Native Title Act*" means the *Native Title Act* 1993 (Commonwealth);

"Native Title Regulations" means the Native Title "Indigenous Land Use Agreements" Regulation 1999;

"Register" means the Register of Indigenous Land Use Agreements established pursuant to Part 8A of the *Native Title Act*;

"Registrar" means the Native Title Registrar under the *Native Title Act*;

"the Act" means the *Parks and Reserves (Framework for the Future) Act*;

"the Park" means the area of land described in Item 2 of the Schedule;

- 1.2 In this agreement, unless the contrary intention appears:

- (a) "person" includes a firm, body corporate, statutory corporation, an unincorporated association or an authority and a reference to gender includes each other gender;
- (b) the singular includes the plural and *visa versa*;
- (c) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including but not limited to persons taking by novation) and assigns;

- (d) an agreement, representation or warranty on the part of or in favour of two or more persons binds or is for the benefit of them jointly and severally; and
- (e) a reference to anything is a reference to the whole or any part of it and reference to a group of persons is a reference to any one or more of them.

2. **Term and Conditions Precedent**

- 2.1 This agreement shall be for a term of ninety-nine (99) years from the date of registration in accordance with the *Native Title Act*, and the parties agree to negotiate in good faith for the renewal or extension of this agreement not later than five (5) years before it expires, at the option of the Territory.
- 2.2 This agreement shall have no force or effect and shall not be binding on any party unless and until the Chief Minister has indicated that she is satisfied that the conditions set out in section 10 of the Act have been satisfied.

3. **Consent, Compensation and Use of Park**

- 3.1 The parties consent to:
 - (a) the execution by the Land Council and the Territory of the Joint Management Agreement in respect of the Park;
 - (b) management of the Park in accordance with the Joint Management Principles;
 - (c) any action taken whilst this agreement is in force that is in accordance with, or permitted by the Joint Management Principles or Joint Management Plan (including, without limitation, the grant of sub-leases for commercial purposes and the construction, operation and maintenance of improvements in the Park),

whether or not they are future acts.

- 3.2 The parties acknowledge and agree that Subdivision P of Division 3 of Part 2 of the *Native Title Act* does not and is not intended to apply to the actions specified in clause 3.1.
- 3.3 The parties agree that the non-extinguishment principle set out in section 238 of the *Native Title Act* applies to and in relation to all of the actions set out in clause 3.1.
- 3.4 The Land Council and the Native Title Parties agree that while this agreement in respect of the Park is in force, they will not make or

pursue any application for native title determination in respect of the Park or any part of the Park except for the purposes only of :

- (a) addressing an application for the creation of a right to mine as defined in the *Native Title Act* (and then only to the extent of the proposed grant);
- (b) responding to a notice of proposed compulsory acquisition (and then only to the extent of the proposed acquisition);
- (c) responding to a non-claimant application as defined in the *Native Title Act*;
- (d) the setting up or operations of a registered native title body corporate following an approved determination of native title; or
- (e) an application under section 13 of the *Native Title Act* to vary an approved determination of native title.

3.5 Notwithstanding clause 3.4 above, the parties agree that the Land Council and/or the Native Title Parties may make or pursue an application for native title determination in respect of the Park or any part of the Park with the written consent of the Territory. The Territory shall not unreasonably refuse to give consent where:

- (a) the Territory has been provided with reasonably detailed anthropological material and other evidence that the Territory may reasonably require in order to form a view on the strength of the application for native title determination and the likelihood of success of a request to the Federal Court for a consent determination;
- (b) the Territory is reasonably of the view that a request for consent determination will be accepted by the Federal Court; and
- (c) the parties acting reasonably have agreed or agreed in principle upon the proposed terms for a consent determination,

however in any other circumstances the Territory may refuse to give consent in its absolute discretion.

3.6 The parties agree that in the event that any compensation is payable, pursuant to the *Native Title Act* or otherwise, in respect of the effect on native title rights and interests:

- (a) of any action the subject of the consent given in clause 3.1 above; or

however in any other circumstances the Territory may refuse to give consent in its absolute discretion.

3.6 The parties agree that in the event that any compensation is payable, pursuant to the *Native Title Act* or otherwise, in respect of the effect on native title rights and interests:

- (a) of any action the subject of the consent given in clause 3.1 above; or
- (b) by virtue of any action taken by the Territory or the Commonwealth in respect of the declaration or purported declaration and use or purported use of the Park as a Park declared under the *Territory Parks and Wildlife Conservation Act*, or any earlier Act or Ordinance of the Territory or the Commonwealth prior to the date of registration of this Indigenous Land Use Agreement,

then the quantum of such compensation is limited to a total of One Dollar (\$1.00).

4. **Joint Management Principles**

4.1 The parties agree that the Park will be managed in accordance with the Joint Management Principles, and agree to comply with their respective obligations as set out in the Joint Management Principles;

4.2 the parties agree that:

- (a) a breach of clause 4.1 by one party that is substantially detrimental to the interests of the other party; or
- (b)
 - (i) the enactment of an Act;
 - (ii) the passing of Regulations or By-Laws;
 - (iii) the coming into operation of a Plan of Management
 - (iv) the making of or entry into an arrangement under section 91 of the *Territory Parks and Wildlife Conservation Act*, or
 - (v) the delegation of the Territory's powers and functions (whether under section 7 or section 23 of the *Parks and Wildlife Commission Act*),

- 4.4 within thirty (30) days after the service of a notice pursuant to clause 4.3 the parties will meet in Darwin/Alice Springs or such other place as they may agree to seek to agree whether there is a breach and if there is, to seek to agree on a remedy for the breach;
- 4.5 where a meeting referred to in clause 4.4 and any further meetings as are agreed to between the parties does not result in a cure or agreement that there is no breach, or where the party who served the notice in accordance with clause 4.3 is ready, willing and able to meet but there is no meeting, the party who gave the notice in accordance with clause 4.3 may give the other party a termination notice;
- 4.6 upon receipt of a termination notice under clause 4.5 the party receiving the notice will have eighteen (18) months to remedy the breach;
- 4.7 if at the expiry of the notice period referred to in clause 4.6 the breach has not been remedied, the party who issued the termination notice may issue a final termination notice which will take effect upon the expiry of twenty-eight (28) days; and
- 4.8 upon issue of a final termination notice, the parties must meet within twenty-eight (28) days to negotiate in good faith for a further Indigenous Land Use Agreement for the joint management of the Park.

5. Warranties

- 5.1 The Land Council warrants to the Territory that:
 - (a) as required by subsection 203BH(2) of the *Native Title Act*, it has, before becoming a party to this agreement, as far as practicable, and having regard to the matters proposed to be covered by this agreement, consulted with and had regard to the interests of persons who hold or who may hold native title in the Park; and
 - (b) as required by subsection 203BE(5) and 203BH(2) of the *Native Title Act*, it is of the opinion that:
 - (i) all reasonable efforts have been made to ensure that all persons who hold or may hold native title in the Park have been identified; and
 - (ii) all of the persons so identified have authorised the making of this agreement.

6. Registration

- 6.1 The parties agree that the Land Council shall apply to the Registrar for this agreement to be registered on the Register.

6.2 The parties agree that they shall in all respects cooperate with the Registrar and do all things necessary or convenient in order to satisfy the Registrar, upon the application for registration being made, that this agreement should be registered.

6.3 For the purposes of subsection 24CG(1) of the *Native Title Act*, and paragraph 7(2)(b) of the Native Title Regulations, this agreement constitutes a statement by each party to the agreement that the party agrees to the application for registration being made.

7. **Other**

The Native Title Parties appoint the Land Council to execute the Joint Management Agreement in respect of the Park or any amendments to the Joint Management Agreement.

8. **Miscellaneous**

8.1 **Severability**

If a court determines that a word, phrase, sentence, paragraph or provision in this agreement is unenforceable, illegal or void then it shall be severed and the other provisions of this arrangement shall remain operative.

8.2 **Counterparts**

This Agreement may be signed in any number of counterparts and all such counterparts when taken together shall constitute one instrument.

EXECUTED by the parties as an Agreement.

SIGNED by the HON CLARE MAJELLA)
MARTIN MLA, CHIEF MINISTER)
for and on behalf of the NORTHERN)
TERRITORY OF AUSTRALIA)

Clare Martin

[Signature]
Witness *TRANS Dowling*

IN WITNESS whereof the COMMON)
SEAL of the CENTRAL LAND)
COUNCIL was hereunto affixed in the)
presence of:)



William BROWN
Chairman

Dennyson
J. Calma

SCHEDULE

The Park

RAINBOW VALLEY CONSERVATION RESERVE

All that parcel of land near Rainbow Valley in the Northern Territory of Australia containing an area of 2483 hectares more or less being Northern Territory Portion 1993 more particularly delineated on Survey Plan S83/35 lodged with the Surveyor General, Darwin.

Joint Management Principles

referred to in clause 4.1 of the ILUA

1. Objectives

The objective of this Joint Management Schedule is to provide a framework for certain aspects of the joint management of the Park that is consistent with the agreements of the Joint Management Partners.

2. Definitions

In the Schedule, unless the contrary intention appears:

- (a) a term defined in the lease or ILUA (as appropriate) has the same meaning in this Schedule.
- (b) "Joint Management Agreement" has the same meaning as in the *Parks and Reserves (Framework for the Future) Act*

3. Functions of the Parks and Wildlife Service

The functions of the Parks and Wildlife Service will include:

- (a) represent the Territory in a partnership with traditional Aboriginal owners to jointly manage the Park;
- (b) day to day management;
- (c) facilitating the preparation of Plans of Management, in partnership with the traditional Aboriginal owners; and
- (d) subject to the Joint Management Plan:
 - (i) issuing permits for the operation of concessions in parks, with the consent of relevant traditional Aboriginal owners; and
 - (ii) implementing the Parks Aboriginal Employment and Training Strategy (as described in the Joint Management Agreement).

4. Role of Land Councils

The role of the Land Councils with respect to joint management is to:

- (a) Identify traditional Aboriginal owners for the purposes of developing Joint Management Plans ;

- (b) monitor & support joint management arrangements;
- (c) distribute income; and
- (d) assist traditional landowners to participate in the development of Joint Management Plans.

5. Training and Employment

The Lessee agrees (with the cooperation of the relevant traditional Aboriginal owners):

- (a) to implement an Aboriginal training programme the broad objectives of which are agreed with the traditional Aboriginal owners, comprising training in skills relevant to the administration, planning, management and control of parks ("the Aboriginal training programme") ;
- (b) subject to giving preference to relevant Aboriginals, to use their best endeavours to employ in the Park in positions which are appropriate having regard to qualifications acquired in participation in the Aboriginal training program, all persons who complete a course of the program or, where such positions are not available, to assist in finding comparable employment;
- (c) in the Aboriginal training program to offer Ranger training and land management courses up to and including, where appropriate, the levels required for the positions of Senior Ranger or Chief District Ranger or alternatively to provide such training by outside placement;
- (d) to employ training officers 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;
- (e) to provide appropriate and reasonable resources (including staff, training facilities and accommodation) for Aboriginal trainees;
- (f) in the Aboriginal training programme and in the management of the park to emphasise social and cultural values and land management practices;
- (g) to actively seek to achieve that at the earliest practicable opportunity the majority of permanent employment positions in the Park are held by suitably qualified relevant Aboriginals;
- (h) to such extent as is practicable, to provide for continuing training in the appropriate skills, including literacy and numeracy, for Aboriginal persons employed in permanent positions in the Park ;
- (i) to take all practicable steps to make provision for traditional obligations in determining working hours and conditions;

- (j) subject to giving preference to relevant Aboriginals, 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.

6. Commercial and Business Opportunities

- (a) The Joint Management Partners agree that commercial activity in the Park will be in accordance with the Joint Management Plan; and
- (b) The lessee must give preference to the participation of the traditional Aboriginal owners of the park or reserve in any commercial activities conducted under the lease

7. Staffing

- (a) the Lessee shall at all times use its best endeavours to maintain staff within the Park at the level and designations of staff requirements provided for in the Joint Management Plan;
- (b) the Lessee agrees to consult with and have regard to the views of the Regional Joint Management Groups, or such agents or representatives of the traditional Aboriginal owners as may be nominated by the Joint Management Plan 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 traditional Aboriginal owners on any selection panel appointed in relation to such appointments;
- (c) the Lessee agrees that, notwithstanding clause 5, 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 traditional Aboriginal owners in accordance with a process set out in the Joint Management Plan;
- (e) the Lessee 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 by the Joint Management Partners. The Lessee agrees to use its best endeavours to arrange for the cross-cultural course to be carried out, to the extent that it is reasonably practicable, by Aboriginals engaged for that purpose.

8. Disposal of Park Equipment

- (a) 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 decides to dispose 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 first refusal to purchase the property or equipment or any part of it subject to the following terms and conditions;
- (b) 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 amount than the Lessee would impose upon or require from a purchaser other than a permitted Aboriginal purchaser;
- (c) 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;
- (d) 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;
- (e) 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
- (f) in the event that a notice of acceptance is not given, the Lessee shall then be at liberty to sell the property or equipment by private contract to any other person for an amount not less than that specified in the notice in writing given pursuant to clause 6(a) or by public auction.

9. Other Matters

The Joint Management Partners agree that:

- (a) the Joint Management Partners shall meet from time to time to formulate written policy in respect of environmental evaluation of proposed

developments in the Park. Proposed developments in the Park shall be consistent with any policy formulated under this clause;

- (b) the Joint Management Partners will work together to put in place a process for protection for intellectual and cultural property rights of traditional owners for the protection of sacred sites and for the protection and preservation of places and items of cultural significance;
- (c) the Joint Management Partners shall formulate a policy for education and educational activities within the Park; and
- (d) the Joint Management Partners shall provide each other with access to all information relating to the operation and management of the Park, including research reports sponsored procured or supported by the Territory that are in the possession of the Territory. This clause does not apply to information that would be privileged from production in litigation, would contravene privacy provisions of relevant Territory or Commonwealth laws, would unreasonably invade an individual's privacy, or that is secret or restricted according to Aboriginal tradition.

The Territory agrees:

- (e) to comply with and take all practicable steps to ensure compliance by all persons with all Acts, regulations and laws applicable to the Joint Management Plan;
- (f) to have regard in the performance of its functions in relation to the park, to such priorities in allocating financial and other resources as are provided in the Joint Management Plan or determined from time to time by the Joint Management Partners;
- (g) to promote and protect the interests of relevant Aboriginals as a group;
- (h) to respect and to promote the protection of sacred sites, cultural heritage and other areas and things of significance to relevant Aboriginals, and the enforcement of the provisions of the *Northern Territory Aboriginal Sacred Sites Act*;
- (i) to encourage the maintenance of the Aboriginal tradition of relevant Aboriginals;
- (j) to take all practicable steps to promote Aboriginal involvement in the administration, management and control of the park;
- (k) subject to the Joint Management Plan, to engage as many relevant Aboriginals as is practicable to provide services in and in relation to the park, including but not limited to the utilisation of the traditional skills of Aboriginal individuals and groups in the management of the park;

- (l) subject to the Joint Management Plan, to encourage and support Aboriginal business and commercial initiatives and enterprise within the park;
- (m) subject to the Joint Management Plan, 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;
- (n) to use its best endeavours to promote among visitors to, employees and commercial operators in the park a knowledge and understanding of and respect for the traditions, 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 it is reasonably practicable, by Aboriginals engaged for the purpose; and
- (o) to consult with and have regard to the views of the Joint Management Partners before exercising any powers over liquor distribution or consumption in the Park.

10. Financial Audit

The Territory shall on an annual basis, account to the traditional Aboriginal owners for all income, itemised in reasonable detail, received in respect of the Park. The Territory shall ensure that the relevant audit report prepared for the Parks and Wildlife Service separately identifies concession income received in respect of the Park.

11. Commercial Income

In addition to the rental as determined above, the Territory shall pay to the Land Trust an amount equal to fifty per cent (50%) of income received in respect of the Park, excluding any reasonable administrative charges.

NORTHERN TERRITORY OF AUSTRALIA

("the Territory")

AND:

CENTRAL LAND COUNCIL

("the Land Council")

INDIGENOUS LAND USE AGREEMENT

**IN ACCORDANCE WITH SUBDIVISION C
OF DIVISION 3 OF PART 2 OF THE
NATIVE TITLE ACT, FOR THE PURPOSE
OF DEALING WITH FUTURE
DEVELOPMENT, COMPENSATION AND
OTHER RELATED MATTERS IN
RESPECT OF A PARK IDENTIFIED IN
SCHEDULE 3 OF THE PARKS AND
RESERVES ((FRAMEWORK FOR THE
FUTURE) ACT**

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45 Mitchell Street
DARWIN NT 0800

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Ref: COM2002-229 AJS:ASL

Indigenous Land Use Agreement – Parks –
Schedule 3 – 7 December 2004

Appendix 5. Extracts from *Territory Parks and Wildlife Conservation Act*

part iii – joint management of certain parks and reserves

Division 3 – Joint management partners, objective and principles

25AA. Joint management partners

(1) The joint management partners for a park or reserve are –

- (a) the Territory or a body nominated by the Territory as the representative of the Territory; and
- (b) the traditional Aboriginal owners of the park or reserve.

(2) The joint management partners are together responsible for the management of the park or reserve.

(3) The joint management partners must perform their functions under this Part in respect of a park or reserve in a manner that –

- (a) is consistent with any lease referred to in section 8(c) or 10(1)(f) of the *Framework Act* entered into in respect of the park or reserve;
- (b) is consistent with the joint management agreement referred to in section 8(d) of the *Framework Act* entered into in respect of the park or reserve;
- (c) is consistent with any indigenous land use agreement referred to in section 8(e) of the *Framework Act* entered into in respect of the park or reserve;
- (d) achieves the objective stated in section 25AB;
- (e) is in accordance with the principles stated in section 25AC; and
- (f) is in accordance with the joint management plan for the park or reserve.

25AB. Objective of joint management

The objective of joint management of a park or reserve is to jointly establish an equitable partnership to manage and maintain the park or reserve as part of a comprehensive and representative system of parks and reserves in the Territory and for the following purposes:

- (a) benefiting both the traditional Aboriginal owners of the park or reserve and the wider community;
- (b) protecting biological diversity;
- (c) serving visitor and community needs for education and enjoyment.

25AC. Principles of joint management

The objective is to be achieved by managing the park or reserve in accordance with the following principles:

- (a) recognising, valuing and incorporating Aboriginal culture, knowledge and decision making processes;
- (b) utilising the combined land management skills and expertise of both joint management partners;
- (c) recognising and addressing the need for institutional support and capacity building of the joint management partners;
- (d) recognising that community living areas in or in close proximity to parks and reserves are an integral part of the natural and cultural resource management of parks and reserves;
- (e) involving continuing statutory responsibilities and functions of the Minister with respect to parks and reserves;
- (f) managing parks and reserves may include cooperative management agreements for areas of land outside parks and reserves;
- (g) establishing a process for the consideration of applications for mining and petroleum

Division 6 – Role of Land Councils

25AN. Application of Division

This Division applies in relation to the parks and reserves specified in Schedules 2 and 3 to the *Framework Act*.

25AO. Functions of Land Councils in relation to parks and reserves

(1) Pursuant to section 23(2) of ALRA, the following functions are conferred on a Land Council:

- (a) to ascertain and express the wishes and the opinion of Aboriginals living in its area as to the management of the parks and reserves in that area and as to appropriate legislation concerning those parks and reserves;
- (b) to protect the interests of the traditional Aboriginal owners of, and other Aboriginals interested in, those parks and reserves;
- (c) to consult with the traditional Aboriginal owners of, and other Aboriginals interested in, those parks and reserves about the use of those parks and reserves;
- (d) to negotiate with persons desiring to obtain an estate or interest (including a licence) in any of those parks or reserves on behalf of the traditional Aboriginal owners of that park or reserve and any other Aboriginals interested in that park or reserve;
- (e) to supervise, and provide administrative and other assistance to, the Park Land Trusts holding, or established to hold, park freehold title in parks and reserves in its area.

(2) In carrying out its functions under subsection (1) in relation to a park or reserve in its area, a Land Council must have regard to the interests of, and must consult with, the traditional Aboriginal owners of the park or reserve and any other Aboriginals interested in the park or reserve and, in particular, must not take any action (including, but not limited to, the giving or withholding of consent in any matter in connection with the park freehold title held by a Park Land Trust) unless the Land Council is satisfied that –

- (a) the traditional Aboriginal owners of the park or reserve understand the nature and purpose of the proposed action and, as a group, consent to it; and
- (b) any Aboriginal community or group that may be affected by the proposed action has been consulted and has had adequate opportunity to express its view to the Land Council.

(3) In this section –

“area”, in relation to a Land Council, has the same meaning as in ALRA;

“park freehold title” has the same meaning as in the Framework Act;

“Park Land Trust” has the same meaning as in the Framework Act.