

## **National Parks**

Two of Australia's most famous national parks, Uluru-Kata Tjuta and Kakadu, are on Aboriginal land.

The Aboriginal traditional owners have leased both parks to Parks Australia under joint management (link: Uluru Kata Tjuta NP).

As well as the Commonwealth national parks, there are Northern Territory parks

Many of these well-known places such as the Devils Marbles (Karlukarlu) and the Western MacDonnell National Park hold deep spiritual significance for traditional owners, yet they have had no say or control in their management in the past.

The future is now much brighter for the Aboriginal landowners of these places since the NT Government agreed to joint management last year.. Site visits, planning meetings and workshops are taking place and laying the foundations for joint management plans. (link: Joint Management NT Parks)

Undoubtedly the thousands of tourists who visit the many parks in the NT every year will benefit from the involvement of Aboriginal people – as they have at Uluru and Kakadu.

## **Uluru and Kata Tjuta National Park**

In 1985 title to Uluru-Kata Tjuta National Park was granted to a land trust and then leased back to the Director of the Australian National Parks and Wildlife Service for a term of 99 years. This was done under the provisions of the National Parks and Wildlife Conservation Act 1975, which established the position of Director, National Parks and Wildlife as a body corporate and lessee of the Park. The Act, which underpins the joint management arrangements for the Park, also provided for the Board of Management to have an Aboriginal majority.

Aspects of the lease (apart from the term) are able to be renegotiated every five years.

The new Environment Protection and Biodiversity Conservation Act 1999 was passed by the Senate late in June 1999. It allows for a representative of the Northern Territory Government to sit on the Board of Management, while allowing traditional owners a say over who that representative may be. The position of Director is to be retained. Unfortunately these changes and the process by which they were implemented have damaged the relationship of trust between the joint management partners at Uluru-Kata Tjuta National Park. Apart from the lease, the Board and the Land Rights Act, the Plan of Management for the park provides the other major platform for successful joint management.

## **The Uluru handback**

The handback of Uluru in October 1985 was a symbolic highpoint for land rights. The area around Uluru and Kata Tjuta was alienated after the Aboriginal Land Rights Act was passed by the declaration of the Uluru and Kata Tjuta (Ayers Rock – Mt Olga) National Park in 1977. Justice Toohey ruled in April 1979 that was prevented any land claim over the park because it transferred title for the land to the Director of the Australian National Parks and Wildlife Service.

The Park could only become Aboriginal land if the Commonwealth amended the Land Rights Act, and representations from the CLC and traditional landowners to the

then Prime Minister Malcom Fraser and Aboriginal Affairs Minister Fred Chaney began almost immediately. The traditional land owners wanted title to the land and majority Aboriginal representation on the Park's Board of Management. They agreed to lease the park area back to the Australian National Parks and Wildlife Service (ANPWS) which would maintain day-to-day responsibility for running the Park.

Uluru is a powerful symbol and the traditional landowners had strong support throughout the country from organisations like the National Aboriginal Congress, but they were also facing trenchant opposition from the Northern Territory Government.

The CLC and the Pitjantjatjara Council worked closely together organising numerous meetings to consult the traditional landowners and consider offers and counter offers from the Commonwealth Government and the Northern Territory Government.

Negotiations crystallised the different positions: the traditional landowners wanted inalienable freehold title under the Aboriginal Land Rights Act, with a lease to ANPWS and an Aboriginal majority on the Board; the Northern Territory Government wanted title transferred from the Commonwealth to the Northern Territory Government which would give some reduced form of title to the traditional owners with Aboriginal people involved in park management but not in control.

The stalemate continued until the Hawke Government came to power in 1983 and in November of that year Bob Hawke announced that his Government would amend the Aboriginal Land Rights Act to return the title for Uluru-Kata Tjuta National Park to the traditional landowners. Hundreds of Aboriginal and non-Aboriginal people attended the handback on 26 October 1985 when Governor-General Sir Ninian Stephen handed over the title papers at a ceremony near the base of Uluru.

Five minutes later the traditional landowners signed an agreement leasing the Park back to the ANPWS. The Northern Territory Government was so angered by the handover that it withdrew from the management arrangements and the Park is now run jointly by the traditional landowners and the Australian Nature Conservation Agency (the renamed ANPWS).

### **National Parks managed by the NT Government**

The other national parks in the central Australian region are held by the Conservation Land Corporation which is the land holding body of the Conservation Commission of the Northern Territory (CCNT). These include the Finke Gorge, Ormiston Gorge, Simpsons Gap and Watarrka (Kings Canyon) National Parks. Management of these areas and a number of other conservation reserves, historical reserves, nature parks and protected areas is carried out by the CCNT

The Northern Territory Government has consistently ignored the rights and interests of Aboriginal traditional landowners of the national parks and reserves which are managed by the Parks and Wildlife Commission of the Northern Territory.