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CABINET DECISION

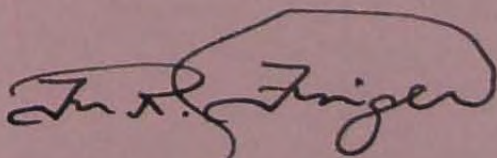
No. 3714

Submission No.: 3177

Title: NORTHERN TERRITORY POSITION PAPER:
PLAN OF MANAGEMENT FOR KAKADU NATIONAL PARK

Cabinet -

- (a) endorsed the general principles and approach adopted in the draft Northern Territory position paper on the development of a new Plan of Management for Kakadu National Park; and
- (b) approved the paper and its submission to the Director, Australian National Parks and Wildlife Service.



(M.R. FINGER),
Secretary to Cabinet.

16 August 1984

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FOR CABINET

SUBMISSION No: 3177

Title:	NORTHERN TERRITORY POSITION PAPER: PLAN OF MANAGEMENT FOR KAKADU NATIONAL PARK
Minister	The Hon. P.A.E. Everingham, M.L.A., Chief Minister
Purpose:	To seek Cabinet's endorsement of the general principles of the proposed Territory approach to the development of a new Plan of Management for the Kakadu National Park and approval for the Territory position paper to be forwarded to the Director, A.N.P.W.S.
Relation to existing policy:	Consistent with present policy and N.T. views previously expressed to the Commonwealth Government.
Timing/legislative priority:	Early Cabinet consideration is sought to ensure lodgement of the position paper with A.N.P.W.S. as soon as possible. No legislative requirements involved.
Announcement of decision, tabling, etc:	At the discretion of Cabinet.
Action required before announcement:	Nil.
Staffing implications, numbers and costs, etc:	No immediate staffing or financial implications.
Total cost:	Nil.

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NORTHERN TERRITORY POSITION PAPER:
PLAN OF MANAGEMENT FOR KAKADU NATIONAL PARK

The Chief Minister requested that if timing permitted the draft Position Paper submitted to Cabinet for consideration should be subject to prior assessment by the Co-ordination Committee.

The draft was considered by the Committee during its meeting on 13 August, 1984. Members generally supported the Position Paper and agreed that it should be endorsed. It was also requested that reference be included to two additional points, viz:

- . The steps which will need to be taken and appropriate provisions to attract private investment in facilities within the Park.
- . Electricity distribution extensions and the need for security of tenure over and access to power line corridors.

These suggestions can be readily accommodated and the following amendments to the draft are proposed:

- . Section 2.5 Tourism (Extension to paragraph 3, page 11)

Private investment will be required in addition to government expenditure to meet these demands, but this will not be attracted unless:

- . appropriate marketing is undertaken;
 - . there is sufficient certainty of tenure over land and the investment concerned to support normal commercial financial arrangements and to permit sale if desired; and
 - . clear guidelines are established with regard to operations and the provision of or access to supporting infrastructure.
- . Section 3.3(a) Services (Additional paragraph, page 18)

Extension of electricity distribution lines will be required with development in the region and these lines may be within or traverse the Park. The general approach has been to utilise road easements where these are available. In the event of departures from this approach for aesthetic or other reasons the distribution authority should be given security of tenure over the corridor involved and assured right of access for construction and maintenance.

Recommendation

That Cabinet consider this report in association with its consideration of Cabinet Submission Number 3177.

Office of the Co-ordinator General

14 August, 1984.

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Department/Authority LAW

COMMENT ON CABINET SUBMISSION No.

TITLE: NORTHERN TERRITORY POSITION PAPER:

PLAN OF MANAGEMENT FOR KAKADU NATIONAL PARK

COMMENTS:

There are no constitutional or legal barriers to the proposal. This Department was consulted fully in the preparation of the draft submission.

SIGNED: S.R. BAILEY

DESIGNATION: DIRECTOR, EXECUTIVE & POLICY UNIT

DATE: 30 JULY 1984

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THE ISSUE

1. Cabinet endorsement of:
 - . A Northern Territory position paper outlining the principles and strategies which should be adopted in the preparation of a new Plan of Management for Kakadu National Park, including a proposal for direct participation in the drafting process.
 - . The forwarding of this paper to the Director, Australian National Parks and Wildlife Service (A.N.P.W.S.).

BACKGROUND

2. The Director, A.N.P.W.S. has published Notices of Intention to:
 - . prepare a new Plan of Management in respect of the Kakadu National Park;
 - . extend the Plan of Management to an area (Gimbat and Goodparla) proposed to be added to that Park;
 - . prepare a Plan of Management in respect of Kakadu (Stage II) National Park.

These notices invited interested persons to make representations in connection with the proposed plans.

3. The Chief Minister on 27 June 1984 directed that a joint Northern Territory submission be prepared for Cabinet approval prior to forwarding to the Director, A.N.P.W.S.

4. A draft Northern Territory position paper is given at Attachment "A".

CONSIDERATION OF THE ISSUES

5. It is insufficient for the Northern Territory Government input to the development of future strategies for the Park to be confined merely to the opportunity to submit comments as part of the general public process of consultation in the development of a new Plan of Management. Although there is also provision for comments to be made when a draft plan has been prepared, the principal decisions on strategy have by then already been taken.

6. The most appropriate approach would be for the Territory to be invited to participate directly in an on-going manner in the planning and drafting process and subsequently in the implementation of the Plan of Management.

7. The general principles which should broadly determine the new Plan of Management are:

(i) Decisions on the strategies to be adopted cannot be based solely on conservation grounds and must also take into account a broad range of social, community and economic aspects. The proposed National Conservation Strategy is clear in its philosophy regarding the need to integrate conservation and development and this should be adopted as a guiding principle for Park management.

(ii) Kakadu National Park is an integral part of the Alligator Rivers and adjacent regions and its

effective management must acknowledge and be consistent with this regional perspective.

- (iii) Tourism in the region is expanding rapidly and there will be increasing pressure for the provision of adequate facilities for all visitors.
- (iv) The scope to manage the Park can be significantly enhanced, and the flexibility to achieve an appropriate balance between development and conservation can be increased, by a strategy of complementary development for the Gimbat and Goodparla pastoral leases under Northern Territory ownership and control instead of the incorporation of these areas in the Park.
- (v) The Northern Territory Government does not support the present executive arrangements for the Park. Whilst ever these, however, are maintained there is a need for effective consultation and co-operation between the Commonwealth and the Territory and appropriate working arrangements should be developed as part of the Plan of Management.

OPTIONS

8. There are two options:

- (i) To adopt an active approach and press for:

- . greater Northern Territory participation in the development of the Plan of Management and subsequent management of Kakadu Stages I and II; and

complementary development of Gimbat and Goodparla under Northern Territory ownership, rather than incorporation of these leases in the Park.

- (ii) To merely provide comment and advice on the development of the Plan of Management by the A.N.P.W.S.

9. An active approach (Option (i)) is preferred as it affords the opportunity to achieve a greater acceptance by the Commonwealth of Northern Territory views and goals.

PUBLIC IMPACT

10. The Northern Territory proposals for Kakadu should be well received by the general public. Some sections of the community, however, may consider that these proposals are a challenge to their environmental and social interests.

FINANCIAL CONSIDERATIONS

11. The proposal has no immediate financial implications.

EMPLOYMENT AND STAFF CONSIDERATIONS

12. There are no immediate employment or staff considerations.

COMMONWEALTH/STATE AND LOCAL GOVERNMENT RELATIONS

13. The Commonwealth is generally aware of the Northern Territory position and any adverse effects on Commonwealth relations is unlikely.

CO-ORDINATION AND CONSULTATION

14. Direct inputs were sought from all relevant departments and agencies in the preparation of the draft and there is general support for the position paper.

LEGISLATION

15. There are no legislative requirements.

PUBLICITY

16. There is no legal impediment to public release of the paper. Cabinet at its discretion may wish to be selective in regard to distribution in view of the length of the document and the scope for misinterpretation.

TIMING

17. Urgent Cabinet consideration is sought as the closing date for public comments was the end of July, although the A.N.P.W.S. accepts that there may be some delay.

RECOMMENDATIONS

18. It is recommended that Cabinet:

- (i) Endorse the general principles and approach adopted in the draft Northern Territory position paper on the development of a new Plan of Management for Kakadu National Park (Attachment "A").

- (ii) Approve the paper and its submission to the Director, Australian National Parks and Wildlife Service.

APPENDIX

Decisions on the strategies to be adopted in the new Plan of Management for Kakadu National Park should be based solely on conservation values and not on economic or other aspects. The Conservation Strategy as a whole should be developed in accordance with the principle of least disturbance.

Paul Everingham
 For PAUL EVERINGHAM
 2/8/84

There are four general principles which should broadly determine the new Plan of Management:

- 1) Kakadu National Park is an integral part of the Alligator Rivers and adjacent regions and its effective management must acknowledge and be consistent with this regional perspective.
- 2) Tourism to the region is expanding rapidly and there will be increasing pressure for the provision of adequate facilities for all visitors.
- 3) The scope to manage the Park can be significantly enhanced, and the flexibility to achieve an appropriate balance between development and conservation can be increased, by a strategy of comprehensive development for the Park and the Northern Territory Government under Northern Territory legislation and control instead of the incorporation of these areas in the Park (Appendix II).
- 4) The Northern Territory Government does not support the present tentative arrangements for the Park. While such arrangements are being considered there is a need for effective consultation and cooperation between the Commonwealth and the Territory and appropriate working arrangements should be developed as part of the Plan of Management.

Participation in Planning

The significance of the Park to the Northern Territory community and its economy cannot be ignored. The extent and strength of the Territory's responsibility, interests and obligations with regard to the region are clearly indicated in this paper.

Plan Of Management For Kakadu
National Park: Northern Territory Government
Submission

Summary

Decisions on the strategies to be followed in a new Plan of Management for Kakadu National Park cannot be based solely on conservation grounds and must also take into account a broad range of social, community and economic aspects. The proposed National Conservation Strategy is clear in its philosophy regarding the need to integrate conservation and development and this should be adopted as a guiding principle for Park management.

There are four other general principles which should broadly determine the new Plan of Management:

- 1) Kakadu National Park is an integral part of the Alligator Rivers and adjacent regions and its effective management must acknowledge and be consistent with this regional perspective.
- 2) Tourism in the region is expanding rapidly and there will be increasing pressure for the provision of adequate facilities for all visitors.
- 3) The scope to manage the Park can be significantly enhanced, and the flexibility to achieve an appropriate balance between development and conservation can be increased, by a strategy of complementary development for the Gimbat and Goodparla pastoral leases under Northern Territory ownership and control instead of the incorporation of these areas in the Park (Appendix 1).
- 4) The Northern Territory Government does not support the present executive arrangements for the Park. Whilst ever these, however, are maintained there is a need for effective consultation and cooperation between the Commonwealth and the Territory and appropriate working arrangements should be developed as part of the Plan of Management.

Participation In Planning:

The significance of the Park to the Northern Territory community and its economy cannot be ignored. The extent and strength of the Territory's responsibilities, interests and attachments with regard to the region are clearly indicated in this paper.

It is insufficient for the Territory input to the development of future strategies for the Park to be confined merely to the opportunity to submit comments as part of the general public process of consultation in the development of a new Plan of Management. Although there is also provision for comments to be made when a draft plan has been prepared, the principal decisions on strategy have by then already been taken.

The Territory has much to offer by way of essential background information, suggestions on the alternative management objectives and considerations which should be taken into account and the arguments for and against particular strategies which may be adopted. The most appropriate approach would be for the Territory to be invited to participate directly in an on-going manner in the planning and drafting process.

which not only relate specifically to the land concerned but which also have a significance to general social, community and economic aspects.

The Paradise National Park and its adjacent areas are integral and important parts of the Northern Territory. These areas constitute a significant portion of the Territory with major social and economic significance.

at the time of any necessary revision.

with respect to related concerns.

as well as other related matters of very great importance.

with respect to the future of the Territory.

One of the primary objectives of the proposed National Conservation Strategy is that there should be an emphasis on consultation and development with regard to the environment and the common good.

PLAN OF MANAGEMENT FOR KAKADU

NATIONAL PARK: NORTHERN TERRITORY GOVERNMENT SUBMISSION

1. INTRODUCTION

The new Plan of Management to be developed for Kakadu National Park and the management arrangements adopted for adjacent areas in the Alligator Rivers Region will have major implications for the interests of the Northern Territory and more generally for Australia. Decisions to be made on the future thrust and detail of these plans must take into account a range of issues which not only relate specifically to the land concerned but which also have a significance to general social, community and economic aspects.

The Kakadu National Park and its adjacent areas are integral and important parts of the Northern Territory. These areas constitute a sizeable portion of the Territory with major social and economic significance:

- . as the home of many Territory citizens;
- . with respect to mineral resources;
- . as areas which includes features of very great conservation value; and
- . with respect to the wide range of tourist attractions encompassed.

One of the strategic principles of the proposed National Conservation Strategy is that there should be an integration of conservation and development with emphasis on the interdependence and the common grounds

of these processes. This integrated approach is not apparent in the present Plan of Management.

The Territory recognises that some conflict between potential land allocation and uses may arise and acknowledges the need to balance the interests of various groups in determining future management strategies. The conclusions drawn on the most appropriate arrangements for management adopted, however, must give adequate consideration to a number of factors. These in addition to conservation values are:

- . broad community perspectives, values and aspirations;
- . the need for the management of the park to be placed in its regional perspective;
- . the opportunities available for complementary management of adjacent areas to achieve a balanced and coherent strategy in relation to conservation and development;
- . the constitutional and political status of the Territory and the need to respect the integrity of the Territory as a political region;
- . the Territory's considerable experience in areas of State-type Government and administration and the need to draw an appropriate balance of responsibilities between the Commonwealth and the Territory;
- . the high mineral prospectivity of the region;

- . the prospects for regional and national economic growth, including growth in employment opportunities;
- . the increasing recognition of the region as a major tourist attraction and the facilities and infrastructure which should be provided.

Change:

The period since the adoption of the present Plan of Management has been characterised by rapid and continuing change. The background against which the Plan was developed is no longer current, improvements have been achieved in knowledge about the region and the utilisation of the land and some of the developments envisaged have now come to fruition. What is more important is that in many instances the concepts and policies which underlie the strategies adopted are unacceptable as a basis for planning for the future.

A major review together with extensive field contact is called for to prepare the new Plan of Management. The changes required are such that it is insufficient to think in terms of merely refining the present Plan. For example, the aims of management set out in Section 24 of the Plan, the conservative policies followed and the "minimum use" concept adopted (Paragraph 27.1.2) are unacceptable. Further, tourism is no longer an unknown factor (Paragraph 18.4) and should be embraced together with mining, under appropriate safeguards, for development.

2. MAJOR ISSUES

2.1 Consultation and Management

The present Plan of Management (Section 43.5) includes commitments to the establishment of two advisory committees:

- . the first to ensure that local interest groups and other concerned people are able to provide input into the administration of the Park, to review progress and advise the Director on future proposals; and
- . the second comprising representatives of the Northern Land Council and the Commonwealth and Territory Governments to focus on policy matters.

The policy committee has not met for more than a year and its operations have not been satisfactory. This committee was given the dual task of advising on policy as well as the implementation of the decisions arising from the Review of Commonwealth Functions. The main points of the decisions referred to were that the Australian National Parks and Wildlife Service (ANPWS), whilst maintaining its policy functions and control of essential Commonwealth interests in the Park, would scale down its general activities and delegate responsibility for operations to the Territory. This decision, however, has not been implemented.

The status of the other advisory committee with a more general orientation is obscure. Both these committees could obviously play an important role in the development of Plans of Management, but no specific

steps to this end have been undertaken. There have also been a number of instances where plans with important ramifications for the Territory have been developed without consultation. The most recent of these was the outline plan for tourism development in the Park.

There are several major issues/questions which arise in the abovementioned circumstances. These are:

- . the status of the Plan of Management and responsibility for its implementation;
- . the advisory arrangements which should be instituted in relation to the Park and the composition, functions and responsibilities of any committees which may be established;
- . the functional responsibilities of the Commonwealth and the Territory in relation to the Park, particularly the delegation of operational and management aspects;
- . mechanisms for effective consultation on specific aspects, particularly when these have implications which impact on the Territory and Aborigines.

The new Plan of Management should address these issues specifically and include unambiguous statements on future arrangements which will be implemented.

2.2 Gimbat and Goodparla

The Northern Territory has already expressed its opposition to the ANPWS proposal for the addition of the Gimbat and Goodparla pastoral leases to the Park.

Its view is that these two leases should be returned to Territory control (copy of comments attached as Appendix 1).

The main points in relation to Gimbat and Goodparla are:

- . the sections with significant conservation values are limited and largely represented elsewhere. The location of these sections bears little or no relationship to the boundaries of the leases;
- . the high mineral prospectivity of the region and obvious employment potential;
- . both leases have a potential for multiple land use, including a high potential for tourism and active recreation;
- . complementary management of the leases in conjunction with but outside the Park would permit a focussing of management for both areas and the flexibility to adopt the land allocation and use which is most appropriate in each case. The converse situation, with management of the overall region as a national park, would limit the options for each area and disregards the fact that Kakadu is part of a broader region which is of particular interest to the community. It would also eliminate opportunities to adopt specific management practices to alleviate pressures which will inevitably build up within the Park and to develop active recreation pursuits which would not normally be permitted within a Park, such as safari hunting and tours.

- appropriate Territory legislation is available to support and regulate complementary development, including the environmental safeguards which may be called for in relation to mining, agriculture and pastoral activity.

2.3 Stage II

The Territory has previously developed a statement of its position on Stage II which was conveyed to the Commonwealth during the course of its consideration of the future of this area (a copy of this statement is attached as Appendix 2). Although the area has been declared to be part of the Park the principles outlined in the statement are still relevant. Those dealing with Aboriginal involvement, mining and tourism should be taken up in the Plan of Management. The remainder are strong reasons why the Commonwealth should actively involve the Territory Government in the development and implementation of the Plan of Management. For these purposes clear working arrangements are required which go beyond purely consultative mechanisms.

The features of Stage II are predominantly wetlands and are complementary to those of the escarpment country which predominates in Stage I of the Park. It would be inappropriate to simply expand the application of the present Plan of Management and the philosophy on which it is based to encompass this area. A complementary approach is warranted. The tourism and recreation values and interests in the area are different and these should be taken into account.

2.4 Aboriginal Interests

Aboriginal association with the Park involves cultural and heritage aspects arising from past occupation of the area (which constitute part of the attraction of the Park), ownership and involvement in management.

(a) Traditional Ownership

A broader approach to traditional ownership and consultation compared to that adopted to date is warranted. Whilst the Gunmugugur (membership by paternal descent) is the appropriate group to consult initially, it is not necessarily the only ownership group for the whole region, particularly with the addition of Stage II. Concentration on consultation with some sections of this group and their employment by ANPWS has created divisions between owners and other long term Aboriginal residents. Groups with maternal links to the land or links through marriage have rights and responsibilities which cannot be ignored.

(b) Aboriginal Residents

The present Plan of Management provides, with the agreement of the Director, for land to be made available for Aboriginal outstations or living areas in the Park to be utilised by traditional owners. The application of this arrangement has been too restrictive and has not taken into account that others have traditional rights and ties to the land. Certain groups have felt unwelcome and some were discouraged from moving to outstations. Some were also thrust precipitously into the Jabiru area causing considerable

problems. A greater flexibility in arrangements should be incorporated in the Plan of Management which should also specify who is responsible for the provision and maintenance of facilities.

(c) Impact Of Visitors

Some Aborigines, including Park neighbours, are concerned about the number of visitors to the Park and anticipated increases. These concerns are associated with questions surrounding the adequacy of protection of features of the region, particularly those with cultural significance to Aborigines, and intrusions into their lives. Some concerns with regard to the environment and heritage aspects have been expressed by members of the broader community.

The Territory notes that prohibitions on general access to some particularly sensitive areas and restrictions on access to others, except for specific purposes such as scientific research, are sometimes seen as necessary management strategies. At the same time the strategy for development of facilities for visitors can be an effective tool in directing the pattern of visitation and its impact on individuals. Education via visitor information systems is also an important aspect in establishing an appropriate orientation to sensitivities of this nature. The Plan of Management should take these points directly into account, but should establish free and open access to the Park as the guiding principle.

It should be noted that complementary development of Gimbat and Goodparla outside the Park is a strategy which would have major advantages with regard to the issues mentioned. At the same time

there are proposals involving Aboriginal interests for the development of tourist facilities within the boundaries of Stage II. Development of this nature should be encouraged and the Plan of Management should facilitate the establishment of tourist facilities where Aboriginal traditional owners can play an active role

2.5 Tourism

The tourist industry offers a significant potential for major economic and employment growth. During the two year period from 1982 to 1984 the number of visitors to the Territory increased by over 24% and the income generated from tourism in 1983/84 was \$172 million.

A comprehensive approach to the development of tourism has been adopted by the Territory including major promotional expenditure, the introduction of a tourism priorities development plan, the development of a co-ordinated strategy for parks and reserves and expenditure on the enhancement of tourist attractions. Expenditure of up to \$600m is anticipated over the next five years on hotel motel and resort accommodation under construction or planned. The redevelopment of the Darwin airport, which has been given the go ahead by the Commonwealth, and the completion of the national highways upgrading programme by 1986 will also make a significant contribution to further expansion.

The strategy adopted has the potential to generate an annual rate of tourism growth of approximately 15%. This rate of growth would mean over 1 million visitor trips into the Territory by 1990 and potential employment for about 10,000 people. The hotel and

motel development and the upgrading of facilities already in progress adds a new dimension to Northern Territory tourism in the form of international class accommodation. There are significant implications for management of the Kakadu region which flow from these developments.

The 1981/82 ANPWS Park survey showed an overall increase of 16% in visitors to Kakadu. The increase was some 30% for areas where some facilities have been provided. These increases occurred despite limited facilities, limited access and a minimum of promotion and marketing.

Further growth in the number of park visitors can be expected to result from the programmes mentioned for upgrading and extending accommodation facilities in Darwin and Katherine and the development of the Kakadu highway link. The Katherine population is expected to double as a result of the Commonwealth Government's proposal to upgrade the Tindal airforce base. Some 200,000 visitor trips per annum to the region could be anticipated by 1988. Increased tourist numbers will create a demand for a range of accommodation within the Kakadu region, including a significant boost in those seeking medium to international standard facilities.

The Commonwealth has announced a plan to spend some \$70m on tourist facilities in Kakadu over five years which it expects to attract private investment and expenditure on supporting services leading to a total development programme of some \$250m. It is a matter of concern that no consultation was undertaken with the Northern Territory Government and its agencies in the development of the plan with regard to the disposition of facilities and the strategy underlying this

development. Clearly, it is essential that any Plan of Management for the Park should take into account the outcome of Northern Territory initiatives for tourism development in the interests of sound management and the achievement of a well balanced tourist development programme. The timing of major park developments to fit within the larger framework of tourist development will be critical.

In this context the complementary development of Gimbat and Goodparla by the Northern Territory outside the Park would provide an opportunity for greater flexibility in regional tourist development which would alleviate the pressures on more environmentally sensitive areas of the Park that would otherwise inevitably follow. Major injections of capital from the private sector would be necessary to achieve the growth in facilities required to tap the market anticipated. It is essential that land tenure arrangements are suitable for adequate finance to be obtained through normal sources and this is more likely with land outside the Park.

2.6 Exploration and Mining

The proposed National Conservation Strategy declares that development and conservation are but different expressions of the same process and that together these are the means of providing for the needs of the present and the future. The mining industry has a key role to play in the development of the Territory by attracting major capital expenditure, providing job opportunities, export earning and the demand basis for ancillary industries.

The present Plan of Management recognises that recovery of minerals may be undertaken in the Park, provided these projects are approved by the Governor General, and specifies the conditions to be met although the latter appear to have been developed around uranium mining rather than minerals in general. It also acknowledges that exploration may take place and outlines the mining and excavation activities permitted. These provisions appear to be consistent with the National Parks and Wildlife Conservation Act.

There is, however, some ambiguity arising from the joint operation of the Act and the Plan of Management with regard to the description of activities which may take place and whether this could lead to unnecessary restrictions on exploration and mining. It would be inappropriate if the Plan of Management needed to be amended on an ad hoc basis to accommodate new or unusual mining techniques which arise during its period of application (one example is in-situ leaching). The policy should be to assess proposals for exploration and mining on their merit instead of the foresight of the park planners.

Present provisions are silent on mechanisms for assessment and acceptance of exploration proposals and the criteria for assessment of mining proposals. The extent of application of the Environment Assessment (Impact of Proposals) Act is not considered and there are no activity specific Commonwealth legislative mechanisms to authorise or regulate exploration and mining. The provisions of the Aboriginal Land Rights Act must also be taken into account.

Various freezes and holds on exploration and mining have been applied to the region during the conduct of inquiries and Aboriginal land claims. Exploration activity has now largely been abandoned. The industry simply appears to be unwilling to consider investment in the region because of the uncertainties of permission for future mining and the regulatory regimes which may be applied. The main issue is that the mining industry faces two different legislative regimes in the Territory, depending on the location of the mineral deposit concerned, there are major uncertainties surrounding mining in the Park and these circumstances generate deterrents to development. The situation should be rationalised and the simplest approach would be for Territory law, which is effective and complete, to be the framework for exploration and mining in the Park.

2.7 Consistency With Northern Territory Law

The location of the Park within the Territory and the importance of the region from a number of aspects means that it is impossible to divorce the Park from consideration in the normal course of administration of Territory executive responsibilities in several areas. Examples are:

- . water resources management;
- . noxious weed control;
- . feral animal and livestock disease control;
- . fisheries management.

Northern Territory legislative provisions in these areas are effective and consistent with needs from a regional perspective. Some of the arrangements in place recognise these aspects for example, the ANPWS in

recognition of its obligations under the Territory Noxious Weeds Act is working with Territory officials to eradicate certain noxious weeds from the Park.

There are significant difficulties, however, in other fields. The present Plan of Management provides for the Director, ANPWS to issue permits for fishing, but it is understood this has not been utilised. Feral animal and livestock disease control particularly the elimination of brucellosis and tuberculosis, however, have far reaching implications not only for the Territory but on a national basis. There is a need for maximum co-operation between the Park administration and Territory agencies. The Plan of Management should be specific and unambiguous and consistency with Territory law and approved programmes in place is essential.

As a general proposition the Plan of Management should be consistent with relevant Territory law to avoid unnecessary duplication and confusion with regard to regulatory aspects. At the same time the specific application of Territory law should be clarified and the Plan of Management should, by a schedule, put this beyond doubt in the minds of administrators, Park residents and visitors.

2.8 Jabiru

There are two significant questions with regard to Jabiru which should be taken into account in the Plan of Management, viz:

- . the "normalisation" of the town from the point of view of residents;

the utilisation of the townsite and its infrastructure for the development of facilities for visitors.

Although the town was established to service mining operations the community has every right to expect that to the fullest extent possible it should be a "normal" town in the Territory context. Steps have been taken to set in place community government arrangements appropriate to present circumstances. There is an inevitable expectation on the part of residents of the continuity of the town and the Plan of Management should be consistent with this expectation. The Plan also should to the fullest extent possible be liberal with regard to its operation in the town and a number of aspects, for example, with respect to domestic pets have been drawn to attention on previous occasions. Other issues which have previously been raised are accommodation for those who visit residents for business or pleasure, and suitable living areas for Aborigines in the Park.

Present legislative arrangements with regard to the control of liquor in Jabiru are unacceptable and contrary to the "normalisation" of the town. The regulations recently introduced under the National Parks and Wildlife Conservation Act which give the Director power to override the decisions of the Liquor Commission on licencing should be repealed. There has already been some confusion over applications for special licencing under the Territory Liquor Act and the legality of those licences in the town. Provisions for the control of liquor in Jabiru should be the same as elsewhere in the Territory.

Extensive infrastructure has already been developed in the town. Attention has been drawn (section 2.5) to the rapidly expanding tourism interest in the Park and facilities required. The Plan of Management should come to grips with the role of Jabiru in tourism so that appropriate planning can be undertaken in regard to other locations, both inside and outside the Park boundaries.

A paper outlining the results of an independent review of the Plan of Management by the Jabiru Town Development Authority is attached (Appendix 3).

3. RELATED ASPECTS

3.1 Exchange of information

There are many fields in which the Territory Government and the ANPWS interests in information on the region are similar and where co-operation would be valuable to all parties. These include the design and results of surveys, on aspects such as heritage and other diverse fields including for example hydrology. Working arrangements relating to exchange of information should be spelt out as an integral part of the consultative process.

3.2 Access

As a general principle Territory officials with administrative and operational responsibilities which require them to visit areas of the Park should have the same rights of access as ANPWS staff.

There have been difficulties with National Parks in relation to access by commercial film crews. The

revised Plan of Management is an opportunity to overcome these difficulties. As a general approach there should be no question that film crews have at least the same access rights as those available to the general public. No qualifications should be placed on the filming activities of crews except with regard to the implications of the public display of film records of particularly sensitive sites or ceremonies of Aborigines. Permission for crews to proceed should only be necessary where there are restrictions on the public in relation to the places or activities concerned.

3.3 Infrastructure Development

(a) Services

It is likely that water could be made available for all developments which might be envisaged, but appropriate sources would need to be investigated on a site specific basis. Sewerage disposal is more complex and seasonal flooding with escape to the natural environment could be a problem in several areas. The disposition of facilities will need to consider whether a strategy of dispersed or concentrated facilities is appropriate. The latter offers opportunities for control of sewerage which would otherwise be costly if applied at a greater number of sites.

(b) Transport

The transport services developed to and within the Park are a major tool in the implementation of policy on land use and strategies concerned with the movements of visitors. They also to a very

large extent influence the enjoyment experienced by tourists, regardless of the natural attractions visited. The significant travel involved in visiting the region means that effective arrangements for co-ordination of transport modes are essential. The location of airstrips in relation to road systems is for example crucial for fly/drive arrangements.

Roads:

The existing road network in the region was initially developed to serve the pastoral industry and has more recently taken into account uranium mining. Circuit tours are an increasing feature of tourism development. Major upgrading works are in progress on the Pine Creek to Jabiru road to complete the all-weather circuit linking Darwin, Kakadu and Katherine. The road system within the Park, however, has shortcomings from the point of view of visitors which should be corrected.

The present internal roads follow a tributary system, somewhat like a fishbone pattern, which requires continued back tracking to visit points of natural attraction. This is frustrating, increases travel time and detracts from the enjoyment of the Park. Greater emphasis should be given to loop roads and a grid like system.

The development of a hierarchy of roads is important in the context of tourist promotion. This may include:

- . a high class primary circuit linking major service centres such as motels and varied points of scenic interest;

- . secondary (but all-weather sealed) circuits for areas of heavier traffic such as caravan park complexes;
- . good quality gravel roads connected to these circuits to handle significant numbers of visitors in reasonable comfort to major attractions;
- . dry weather tracks to provide access to particular sites where some control of visitor numbers is warranted;
- . non-public tracks for specific purposes.

The overall project would be large and requires careful programming as the general facilities of the Park are developed.

Aviation:

The expected increases in tourist numbers to the Park and the changes in the types of tourists, particularly those from overseas, which will flow from tourist development in the Darwin and top end areas will require improved and more sophisticated air services to the Park. Existing facilities in the Kakadu area are inadequate.

A new regional airstrip is required in the vicinity of Jabiru and should be incorporated in the Plan of Management. Facilities to Boeing 737 jet and night operation standard are necessary. Upgrading of the present Jabiru strip is not a practical proposition.

The use of non-rigid airships is a possibility which should be catered for. The Territory has been examining this proposition for some time because of its potential to add flexibility to the transport infrastructure in areas where conservation is an integral part of management.

Marine:

The extensive waterways of the region should where possible be utilised to diversify the transport system and tourist attractions. There is a potential for the operation of small shallow draft passenger cruise vessels on the South and East Alligator Rivers and expansion of water based transport should be accommodated in the new Plan of Management. Supporting facilities should also be provided as part of development programmes. Launching facilities are, for example needed adjacent to the Arnhem Highway at the South Alligator River.



CHIEF MINISTER

DARWIN

The Rt Hon R J Hawke, AC, MP
Prime Minister
Parliament House
CANBERRA A.C.T. 2600

My dear Prime Minister

The Northern Territory Government has formally made representations to the Director of the Australian National Parks and Wildlife Service with respect to his proposal to recommend the inclusion of the Gimbat and Goodparla pastoral leases into Kakadu National Park.

In view of the serious detriment any further park declaration would have on Territory interests and the Territory economy I am taking this opportunity to bring our concerns to your attention.

The removal of a further 6,726 square kilometers of land from Territory jurisdiction contrary to the spirit and intent of Self-Government. With land under Commonwealth control or owned or under claim by Aboriginal interests, the Territory now has less land under its jurisdiction in 1984 than it had in 1978. This trend does not auger well for a political entity wishing to move towards statehood and a lessening of dependence on the Commonwealth.

The question of sovereignty aside, the area covered by the two pastoral leases has been inadequately surveyed to establish its resource potential. The Territory Government is firmly in favour of multiple land use management and is opposed to any arbitrary locking away of resources before they have been properly identified.

The Territory Government believes that the area has no special value as a national park but has potential for a number of economic uses. These uses would be inhibited seriously if Gimbat and Goodparla are included in the National Park.

The area has potential for the development of tourism and mining - the cornerstones of Territory economic development.

The Gimbat/Goodparla lease areas have high potential for tourism which we believe can be best developed without the encumbrance of a national park status over the area. Tourist development in the existing park is likely to suffer considerable constraint without having the added pressures of further areas to consider. It is our contention that tourist development in Gimbat and Goodparla could act as a safety valve to any pressures on the park itself.

The mining industry has a key role to play in the Territory's development by providing major capital investment, job opportunities, export earnings and the economic basis for ancillary industries. The Gimbat/Goodparla area forms part of the uranium-gold province of the Alligator Rivers Region and is highly prospective for other minerals. A number of small, high grade deposits have been worked in the past and there is high potential for further discoveries. As with tourism we believe the development of any mineral resources in this area is best served by being outside the jurisdiction of a national park. The NT Government and mining industry consider it vital that the area be kept open for exploration and that such exploration be carried out under Territory law. The region has been frozen for new exploration licences and mining since December 1972. The availability of this area would do much to counter the current downturn in exploration and disenchantment of mining interests with the Territory.

Our common concern for a more economically self reliant Northern Territory will be best served, I believe, by these pastoral leases being returned to the Territory. The Territory Government is in the best position to provide a balanced management of competing land uses.

The concept of Gimbat and Goodparla as a buffer zone for the now enlarged Kakadu National Park has considerable merit. We recognise the pressures that can be placed on such a vast park area as Kakadu. The competing interests of mining, tourism, scientific research, conservation and the Aboriginal people are such that the park should remain in manageable proportions if all interests are to be served. The

recent purchase of Eva Valley by Aboriginal interests means that Gimbat and Goodparla are the only areas now potentially available for multiple land use thus providing a safety valve to any pressures on the park itself.

I look forward to your responses on this matter.

Yours sincerely,

PAUL EVERINGHAM

23 MAY 1984

Professor G.D. Ovington
Director
Australian National Parks and Wildlife Service
GPO BOX 636
CANBERRA ACT 2601

Dear Professor Ovington

Your reference 83/634 of the 22nd March 1984 invited comment concerning the Notice of Intention to prepare a report recommending proclamation of additional area in Kakadu National Park.

The Northern Territory is opposed to the proclamation of Gimbat and Goodparla Pastoral Leases as additional area for inclusion in Kakadu National Park. Such wholesale dedication, using existing pastoral lease boundaries, would appear to be for administrative convenience rather than for rational conservation purposes.

The Northern Territory queries the justification for adding a further 6726 square kilometres to Kakadu National Park without clearly identifying the park or conservation value of each sq. km. There is very little within either of the two pastoral leases not already represented in Stage 1 and 2 of Kakadu. Declaration of the whole area as national park would seriously inhibit the utilisation of resources available for development within the Territory.

While there is no question about the need to arrange for the conservation of further land in the Territory it is essential that this be done in a rational manner and having regard to achieving a balance of developments in each region. The Alligator Rivers region is clearly contributing a maximum proportion of its land to national park use as things stand and it is of great concern to this government that an unreasoned pursuit of opportunity should cause the sterilisation of further regional resources.

It must be recognised that both Gimbat and Goodparla have potential for multiple land use pursuits some of which could be commenced immediately, subject to suitable security of tenure, and others which require further investigation and proving for technical and commercial feasibility.

This is not to say that there are no pieces of land on the leases that require conservation for park use but simply that, following the initial and illogical north-south, east-west pastoral decisions is perpetrating errors that the Territory needs corrected.

The Gimbat/Goodparla lease areas do have a high potential for tourism and recreation. The government believes that this potential can be best realised without the encumbrance of a national park status over the whole area. The lessee of Gimbat has already introduced controlled access through Gimbat and has proposed the establishment of significant tourist facilities and controlled safari hunting. The development of facilities to promote recreational needs embodying outdoors experience is considered most appropriate and in fact, tourist development within both Gimbat and Goodparla could alleviate certain pressures on Kakadu National Park itself. For instance Gimbat has good resources for development of safari hunting type operations that could not be done in Kakadu.

The two pastoral leases form part of the uranium/gold province of the Alligator Rivers region and are considered highly prospective for copper, lead, zinc, gold, silver, uranium, tin and tungsten. A number of small high grade gold-uranium deposits were worked prior to the administrative freeze on mining and new exploration in the early 1970's. These deposits yielded some 972 tonnes of U_3O_8 and 11,000 ounces of gold. The excision of five mineral leases for Dampier Mines within Stage 1 of Kakadu attests to the highly prospective nature of the area.

Less than 1/3 of the Gimbat/Goodparla lease has been explored but an indication of the perceived mineral potential is reflected in the number of mineral and exploration leases held prior to the declaration of the mineral reserves.

The mining industry has a key role to play in the Territory's development by providing major capital investment, job opportunities, export earnings and the economic basis for ancilliary industries. Accordingly, the Northern Territory believes that mineral exploration should proceed unimpeded to adequately assess the potential for the area. It further considers that there is adequate N.T. legislation in place to safeguard the river catchments should mining be proven and allowed, following environmental assessment. The NT government believes that the industry should be allowed to investigate the mineral potential of this area in accord with normal expectations of exploration.

In the longer term, given that marketing and changes in technology will be determinant factors, there is potential for both animal and crop production on both Gimbat and Goodparla. The extensive grazing of cattle as permitted under the original granting of the leases is no longer appropriate and stricter control of stock will be necessary. The stricter control over stock will allow differentiation of land for improved pastures and agricultural crops. Further investigation will be required before this potential will be realised but the government believes that resource research is an ongoing activity that must be maintained. The Goodparla lessees have expressed an interest in a buffalo domestication programme.

No in depth economic appraisal of the various land use options has been undertaken because of the uncertainties with the Kakadu Stage 2 proposal.

The Northern Territory believes that the tenure of Gimbat/Goodparla should revert to the N.T. so that these issues can be adequately considered.

It further believes that the roads in the region currently maintained by the Northern Territory should be retained as public roads eg.

1. Kakadu Highway
2. Goodparla Access Road
3. Gimbat Access Road
4. Waterfall Creek Access Road, and
5. Old Jim Jim Road.

In addition, a track extending southeast from the existing, Gimbat access road to the Katherine River should also be excluded as a public road. While not maintained by the N.T., it is used for access to the upper reaches of the Katherine River.

As part of the upgrading to sealed standard of the Kakadu Highway, the N.T. is currently investigating realignments of the Kakadu Highway and an additional access to Waterfall Creek from the north west. It is essential that in order to permit the inclusion of the area as an active part of the land resource of the Territory economy all roads and alignments be under Territory control and deemed public roads.

A 100 metre road reserve should be set aside for all roads identified in the area under consideration. ie. 50 metres either side of the centre line of the existing road.

The Control Of Waters Act is administered by the Northern Territory Government. Specific areas of interest in Gimbat/Goodparla relate to monitoring of existing assets and the investigation of further ground and surface areas. These areas of interest must be maintained under Northern Territory legislation and access to conduct these investigations must be unhindered.

The Northern Territory advocates the return of the two pastoral leases to Territory control to allow investigation into the best mix of land use for the pastoral properties and their proper placement in the Territory resource bank. As mentioned, this proposition does not exclude the declaration of properly identified conservation values for park purposes.

Yours sincerely

Sgd,
PAUL EVERINGHAM

PAUL EVERINGHAM

KAKADU NATIONAL PARK STAGE 2: THE NORTHERN TERRITORY
GOVERNMENT POSITION

Future Commonwealth decisions in relation to land in the Alligator Rivers Region will be critical to the interests of the Northern Territory and more generally for Australia. Decisions which are to be made therefore concerning the arrangements to apply to Kakadu National Park Stage 2 must take into account a range of issues which not only relate specifically to the land in question, but which have a significance to general economic, social and community concerns which are wider in their effect.

In drawing conclusions as to the most appropriate arrangements, a number of factors must be given adequate consideration. These are:

- . the constitutional and political status of the Northern Territory vis-a-vis the Commonwealth and the States. Commonwealth decisions must respect the integrity of the Northern Territory as a political region within the Commonwealth;
- . the Northern Territory's considerable experience in areas of State-type Government and administration. The appropriate balance

of responsibilities between the Commonwealth and the Northern Territory must be respected, bearing in mind the State-type model which has been accepted as appropriate for the Territory;

- . broad community perspectives, values and aspirations;
- . the prospects for Territory and national economic growth, and in particular the need to promote growth in employment opportunities.

Kakadu Stage 2 is a sizeable portion of the Northern Territory with great economic and social significance.

The area:

- . is rich in mineral resources;
- . has areas of very great conservation value;
- . offers a wide range of tourist attractions.

THE FIRST PRINCIPLE IS THEREFORE THAT THE KAKADU STAGE 2 AREA IS AN INTEGRAL AND IMPORTANT PART OF THE NORTHERN TERRITORY.

Only a small section of the area of Kakadu Stage II, 7% of the area sought, has been successfully claimed by traditional Aboriginal owners.

There is therefore no valid reason why the Commonwealth should not transfer ownership of land in the area not successfully claimed by Aborigines to the Northern Territory Government. There is no requirement for possible future use which imposes on the Commonwealth an obligation to retain Commonwealth ownership.

THE SECOND PRINCIPLE IS THAT OWNERSHIP AND CONTROL OF THE KAKADU STAGE 2 AREA, APART FROM THAT GRANTED TO TRADITIONAL ABORIGINAL OWNERS, SHOULD BE TRANSFERRED TO THE NORTHERN TERRITORY.

While the area has enormous potential for development in a number of ways, the Northern Territory recognises that some conflict between potential uses may arise. The Northern Territory Government acknowledges the need to balance the interests of various groups in determining future arrangements to apply to Kakadu Stage 2 including, for example, the mining and tourism industries, conservation interests and Aboriginal interests.

Northern Territory law and administration is entirely adequate to provide for all aspects of future protection and utilisation of the area. The Northern Territory:

- . has endorsed the World Conservation Strategy;
- . is considering, along with the Commonwealth and the States, the proposed National Conservation Strategy;
- . has indicated its willingness to ensure that plans of management for the area are complementary to, and compatible with those already in place for the existing park.

THE THIRD PRINCIPLE IS THAT TERRITORY LAW AND ADMINISTRATION SHOULD BE THE VEHICLE FOR ANY EXPANSION OF THE AREA TO BE DEVOTED TO CONSERVATION PURPOSES.

The Northern Territory has already made clear its willingness to provide for Aboriginal involvement in the management of the area to be devoted to conservation purposes and its willingness to provide for Aboriginal interests to be fully considered in the general development of the Kakadu Stage 2 area.

THE FOURTH PRINCIPLE IS THAT PROVISION SHOULD BE MADE FOR ABORIGINAL INVOLVEMENT IN THE MANAGEMENT OF THE LAND.

The Kakadu Stage 2 area is essential to the further economic development of the Territory. There is very clear evidence that significant mineral deposits of commercial value will be found, in addition to the large uranium resources presently known or indicated. It is essential, both in the Territory and national

contexts, that the overall mineral resources of the area should be determined.

A phased approach to the conservation of the area would be consistent with the balanced attitude to conservation and development called for by the World Conservation Strategy and the proposed National Conservation Strategy. The first phase would involve accelerated resources investigation, to be followed by specific reservation for conservation purposes or utilisation of resources under appropriate safeguards. As part of the first phase, a six year exploration phase might be appropriate under the umbrella of a conservation zone which has been a long-standing proposal.

It is totally realistic to expect that this program can be achieved under arrangements which are compatible with the demands which will be made by competing interest groups. The benefits from such an approach are clear. It is estimated that mineral wealth to the value of \$9 billion over 20 years can be extracted by mining less than 1% of the park area.

The phased approach is supported by the evidence provided to the Commonwealth by the Uranium Advisory Council.

THE FIFTH PRINCIPLE IS THAT MINING EXPLORATION AND DEVELOPMENT SHOULD BE PERMITTED UNDER APPROPRIATE SAFEGUARDS.

Increasing attention at the national and Territory level is now being given to tourism as a major economic and employment growth area. The Kakadu region offers enormous potential for major tourism activity.

Currently visitation levels to Kakadu are increasing rapidly. A visitor use survey conducted by ANPWS showed a 16% increase in visitor traffic from a period in 1981 to 1982, and an increase in visitor movements of 30% over a 12 month period at areas where some facilities have been developed. These figures have been achieved despite the extremely limited facilities which are available and with the very restricted access to the region generally. It is reasonable to anticipate visitor growth in the order of 15 - 20% per annum over the next few years.

Clearly, tourism development must be compatible with the overall objectives for management of the region and should be embraced by the plan of management which must be developed.

The Northern Territory Government is committed to the promotion of the tourist industry in the Northern Territory. The Northern Territory Tourist Commission has received a substantial increase in funds to carry out its role of tourist promotion. This effort is supported further in practical ways. Over the first four years of operation, more than 50% of the total loan outlays of the Northern Territory Development Corporation has been directed to the tourist industry. In Central Australia the \$150 million Yulara Tourist Village is well underway. It is essential that a major commitment to the development of services and facilities for Kakadu be achieved as a matter of priority.

THE SIXTH PRINCIPLE IS THE DEVELOPMENT OF THE KAKADU REGION AS A MAJOR TOURIST ATTRACTION AND AN ACCELERATED PROGRAM FOR THE PROVISION OF FACILITIES AND SERVICES IN AND AROUND THE PARK IN LINE WITH THE CLEAR EVIDENCE OF STRONG TOURIST DEMAND.

These principles can be achieved with co-operation between the Commonwealth and Northern Territory

Governments. They do not require the Commonwealth to abrogate any responsibility for a matter which is clearly a Commonwealth prerogative. They do recognise the legitimate interest of the Northern Territory and provide a framework which will enable all points of view to be considered both initially and in an on-going sense. Acceptance of these principles by the Commonwealth would be well received by the Northern Territory community.

JABIRU TOWN DEVELOPMENT AUTHORITY

REVIEW OF PLAN OF MANAGEMENT
(KAKADU STAGE 1)

(The references given hereunder refer to paragraphs in the Plan of Management)

Paragraph 19.2 - Government Decisions of 25 August, 1977 resulting from its acceptance of the Ranger Uranium Environmental Enquiry recommendation that a town to service the mining companies in the region should be established within the Park.

1. The site to be within the Park and excluded from Aboriginal land grants.

Jabiru and the land adjoining the Town (Portion 1649) is the only land in Stage I of the Park which is not subject to aboriginal land grants, which should be borne in mind if further urban development in the area is contemplated. The situation is different in Stage 2 of the Park

2. The town to be "closed" catering only for the mining companies and government officials.

Due to the curtailment and deferrment of mining in the area and in order to provide for the controlled development of tourist accommodation and facilities in the town, the existing narrow concept of a closed town should be eased to allow for the provision of a limited amount of tourist accommodation in the town. If the 1986 Plan of Management is also intended to have a five-year term, it is considered reasonable to provide overnight accommodation in the town for 1,000 visitors including the people employed in catering for their needs, which accommodation might be spread approximately as follows:-

- Motel Accommodation (visitors and staff)	500
- Caravan Parks (visitors and staff)	300
- Campers	200
	<hr/>
TOTAL	1,000
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At peak periods this relaxation of the Plan of Management would cause the town's overnight population to grow to about 2,200 which would still leave some spare capacity in some of the headworks serving the town, which have been overdesigned either to accommodate 3,000 people or 6,000 people. This in turn will mean that if Pancontinental were to commence operations, some upgrading of headworks would be necessary as soon as they start to use the town to provide staff housing.

3. The population of the town not to exceed 3,500

The Plan is not quite clear on this figure, for in some references reference is made to the initial population not exceeding 3,500.

If there is to be some relaxation to permit tourists to be accommodated in the town, as described in 2, if Pancontinental were to commence operations based on an output of 3,000 tonnes per annum, the peak overnight population of the town would rise to about 4,500 and it is therefore considered desirable to lift the population limit in the 1986 Plan to 4,500.

4. Principles for design of the town to be set out in the Plan.

The design principles are set out in the Plan, but it is desirable to be able to amend the Town Plan without amending the Plan of Management. This can be done either by omitting the Zoning Plan from the Plan of Management or covering it with some notation to the effect that amendments to the Town Plan, including zoning changes, can be introduced with the approval of the Director (ANPWS) without the requirement to obtain approval to amend the Plan of Management and have the amendment incorporated in the Plan. There have been instances in the past few years where the Director may have been prepared to permit some variation of the Town Plan but for the need to go through the lengthy processes to actually get the Plan amended.

One minor matter requires attention, viz the requirement in Paragraph 31.2.2 that all roads and streets in the town will be kerbed and drained. Although this requirement may be based partly on aesthetic reasons, it is probably based mainly on the need to prevent soil erosion. There are one or two minor access roads in the town which are not kerbed, but no soil erosion problem has resulted therefrom. It is not essential that roads are kerbed in order to prevent soil erosion and in some applications roads are more aesthetically pleasing if no kerbing is provided.

It is considered desirable to remove from the Plan of Management the requirement that all roads be kerbed, but insert an alternative requirement that if roads are not kerbed alternative approved measures be taken to protect the shoulders of the roads and to prevent soil erosion or any other damage to natural vegetation on either side of the road.

5. The N.L.C. be consulted in the planning of the Town

No problems have arisen except for the administration of the areas set aside in the town for Aboriginal use as required under the Plan.

Although there is no requirement in the Plan of Management for the Authority to develop the areas set aside or provide services thereto, these works have been undertaken by the Authority with funds from the Commonwealth. The operational costs of administering these areas have, to date, been met by the town's ratepayers which is not considered to be a satisfactory long-term arrangement.

The Plan of Management should spell out that the J.T.D.A. will not be obligated to further develop Aboriginal Camping Areas in the Town, nor be required to bear the capital and operational costs associated with such areas.

Paragraph 19.5 - The effect of the town on Park Management

1. Town Lease

The town site has been leased by the Director to the Authority and has an area of about 13 sq. kilometres, which complies with the Plan of Management. It is envisaged that the area of the Lease should be increased within the next five years if further mining development occurs within that period.

2. Environmental Impact

The natural environment has been protected by the following measures taken by the Authority:

- Implementation and use of specifications during construction design to protect the environment (JS1 and JS2).
- The proposed Environmental By-laws which are in the drafting stage.
- The Control of Animals and Control of Dogs By-laws combined with the application of the Dog Act in the town.
- Plants By-laws
- Refuse By-laws
- Chemical Preparations By-laws
- Roads and Public Places By-laws
- Application of N.T. Legislation, e.g. Litter Act.

The impact of the town on local Aboriginal groups has been, on the whole, beneficial to the people concerned -

- because of the provision of 2x7.5 hectare areas within the town, but suitably located so as to provide privacy for the people using the camping areas;

- due to the consultation with the NLC which occurred during the planning stages of the town and continuing consultation concerning the facilities being provided in the camping areas and in respect of liquor licencing generally in the town;
- because the facilities now being provided in the camping area will provide a significant improvement in living standards;
- because the town's facilities, e.g. supermarket, health services, school etc., are now readily available to local Aboriginal groups, particularly those residing in the Aboriginal Camping Area;
- because although the presence of the town may have made liquor more readily available, the development of the Camping Area has reduced the risk of injury on the roads in the region, and alcohol abuse has not increased.

3. Recreational facilities on land adjoining the town, but outside the Authority's Lease

Provision is made in the Lease for the Director to grant licences to the Authority over such portions of land adjoining the town as may be necessary to satisfy the recreational requirements of residents of the town. This is a satisfactory arrangement where the facilities required actually adjoin the town boundary, but where the required facilities are remote from the town, it is probably more desirable for the Director to grant licences to people seeking the facilities even though the facilities may be located in the "land adjoining the town" as described in Schedule 2 of the Lease.

The Director should consult with the Authority before granting licences for use of "land adjoining the Town" (Portion 1649)

4. Town headworks within the Park external to the town

Licences were granted by the Director for the for the construction of these facilities and negotiations are under way for the Authority to obtain easements or licences to cover the ongoing operation of the facilities in question, which include the high tension electricity line from Ranger to the town, the Nanambu borefield and the trunk main from the borefield to the town and the sewage effluent drainage line from the town to Magella Creek.

It will be necessary for the Council and NTEC as delegates of the Authority to gain access to these headworks for repairs and maintenance.

Paragraph 25.7.1 - Residents to be restricted to personnel associated with the development of mining and essential government officials

This reference should be amended to permit other personnel such as those associated with the tourist industry and others approved by the Director, to be accommodated in the town.

Paragraph 29.7 - Alcohol

The present arrangement, following the making of a regulation under the Parks Act whereby applications for liquor licences, after having been approved by the N.T. Liquor Commission, must then be forwarded to the Director for his approval, is not satisfactory from the N.T. Government's point of view, nor from the point of view of the residents of the town.

The present trend for applicants for temporary permits to apply direct to the Director (and being granted approval by him) without first going through the N.T. Liquor Commission, is not satisfactory and would appear to be illegal.

Similarly, the present position whereby residents must belong to one or other of the licenced clubs in the town to obtain liquor supplies, is unsatisfactory.

The best solution to the problem is a matter for consideration of the Liquor Commissioner, who presumably will be making submission on the Plan of Management.

Paragraph 31.2 - Restriction on provision of general tourist accommodation.

If the Director accepts that there is a need to ease the restrictions on provision of tourist accommodation in the town, as referred to above under Para. 19.2, amendments will be necessary to Para. 31.2 both with respect to the reference to tourist accommodation and also with respect to the upper limit of the town's population.

Paragraph 31.2.1 - Town Zones

Although the description of the zones is probably still satisfactory, a review and amendment of the Zoning Map is necessary because some of the land now zoned for future development has, in fact, been developed and therefore should be incorporated within the zones. One example of this problem is the Aboriginal Camping Area where development has occurred and hence the "future development" zoning may no longer be appropriate.

Paragraph 31.3.2 - Protection of the Environment

This paragraph refers to future building design and town layout and to the proposal to impose environmental restrictions during the building period.

Now that building of the town thus far has been largely completed, there is need to lay down rules for ongoing environmental protection. These rules should be prepared by the Authority in consultation with the Director.