

OVERVIEW OF JOINT MANAGEMENT ARRANGEMENTS IN AUSTRALIA: LIMITATIONS ON DATA AND QUALIFICATIONS

This resource provides an overview of joint management arrangements for protected areas (mainly conservation reserves and national parks) across the Australian states and the Northern Territory. The resource has been developed with the aim of providing Native Title Representative Bodies (NTRBs) and Native Title Service Providers (NTSPs) with comparative information on the content of joint management agreements.

For each state and the Northern Territory a summary of relevant legislation and policy is provided along with an outline of each joint management agreement in that state, including information on native title, form of tenure, governance arrangements, employment provisions and other benefits. In this resource, the term “joint management” is used unless some other term is more commonly used in that state. For instance, the South Australian legislation and agreements use the term “co-management”.

This resource has been developed from information available as at February 2009. This resource may become out of date as NTRBs negotiate further joint management agreements or renegotiate existing agreements. It is also difficult to access information about joint management, due in particular to the confidentiality clauses contained in many Indigenous Land Use Agreements (ILUAs). As such the information provided in parts of this resource may be incomplete.

The difficulty of accessing detailed information about joint management has in part contributed to inconsistencies in joint management agreements across Australia. Each state and territory has a different approach to joint management as reflected in legislation and government policies. Even within states, joint management agreements take a number of different forms, from informal arrangements to Memorandum of Understandings to ILUAs. Most significantly, the content of the agreements differ substantially in form of tenure granted, governance arrangements and employment and training provisions.

The focus of this resource is on management arrangements that have been entered into as part of the native title process. Some ILUAs have been entered into following a determination that native title rights (exclusive or non-exclusive) exist over a protected area. Other ILUAs have been entered into as part of the resolution of a native title claim. Native title claimants may for example agree to excise a protected area from a native title claim.

Other joint management arrangements have been reached under State, Territory and Commonwealth legislation such as the *Aboriginal Land Rights Act (Northern Territory) 1976* (Cth). While such arrangements are not the focus of this resource, information about some legislative arrangements has been included for completeness.