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Proposed Indigenous Land Use Agreement in Malgana Country

Why do we need an Indigenous Land Use Agreement (ILUA)?

- An ILUA is a legal requirement under the Native Title Act between a native title prescribed body corporate (PBC) and other parties where new national parks and nature reserves are created.
- The PBC consents to actions in the ILUA that will affect native title (but never extinguish it), and the State provides financial and non-financial benefits for those actions.
- Native title is NOT extinguished. Plan for Our Parks IUAs are different from South West Native Title or Yamatji Nation Settlement IUAs, which deal with broader settlement of native title claims.
- A signed ILUA must be registered with the National Native Title Tribunal (NNTT) before the national parks and nature reserves are created.

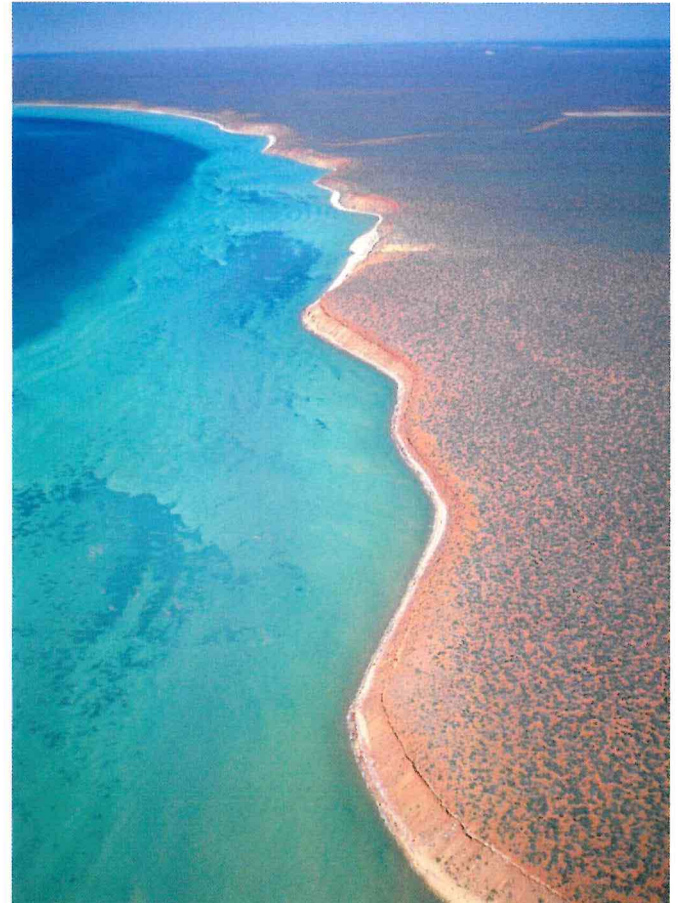
What is in the ILUA?

The ILUA provides for:

- Malgana Aboriginal Corporation (MAC) consent for the creation of new **Class A national parks** (Edel and Nanga) and **nature reserves** (Yaringa and Pimbee).
- **Joint vesting** of the new parks and reserves with MAC and the Conservation and Parks Commission (CPC)—both will be named on the land title records for the parks and reserves. Joint management of the new parks and reserves by MAC and the Department of Biodiversity, Conservation and Attractions (DBCA).
- Joint vesting of the existing Dirk Hartog Island National Park, Francois Peron National Park, Shell Beach Conservation Park, and Monkey Mia Conservation Park, with MAC and the CPC. Joint management of the existing Dirk Hartog Island National Park, Francois Peron National Park, Shell Beach Conservation Park, and Monkey Mia Conservation Park, by MAC and DBCA.
- MAC to propose names for the new national parks and nature reserves.
- Financial and non-financial benefits for Malgana people and MAC.

National parks & nature reserves

National parks protect flora, fauna and Aboriginal cultural heritage values. They are managed for sustainable tourism and visitor use, including camping. Nature reserves protect the natural environment. Visitor activities that are compatible with this, and promote the study and appreciation of nature are permitted. Aboriginal customary activities are permitted and encouraged in national parks and nature reserves.



Aerial view of Francois Peron National Park – DBCA

Joint vesting

The Conservation and Land Management Act allows national parks and nature reserves to be jointly vested with the CPC and a PBC. Joint vesting provides recognition of Traditional Owner connections to country. The PBC is recognised on the land title, it has a formal role in preparing and submitting a Joint Management Plan to the Minister for Environment for approval, and it is consulted on the granting of leases, licences and permits in the jointly managed parks and reserves.

Class 'A' reserves

Class 'A' classification provides the highest level of protection and is applied to reserves that have high biodiversity value or cultural significance. No mining lease or general-purpose lease can be granted in a national park or Class A nature reserve unless both Houses of Parliament consent.

What will the ILUA funding be used for?

- Employment and on-the-job training of Malgana people in ranger, trainee ranger, or other positions relating to joint management.
- Employment of a MAC joint management project officer.
- Fee-for-service contracts with MAC/Malgana people to implement the Joint Management Plan (JMP), and to provide cross-cultural training.
- Administrative and capacity building resources for MAC, including opportunities for Malgana people to explore economic development opportunities.
- Assisting Malgana people to visit the parks and reserves and Malgana Country, and to engage in Malgana cultural activities, including inter-generational knowledge exchange
- Assisting MAC to meet its joint management obligations, including support for Malgana representatives to attend Joint Management Body (JMB) meetings.

Working together to care for Malgana Country

- DBCA and MAC will work together to prepare a JMP for the new and existing parks and reserves.
- Malgana people and DBCA staff will make up the JMB. The JMB advises on the use of jointly managed parks and reserves in accordance with the JMP, sets priorities for operational works programs, and prepares policies and procedures.

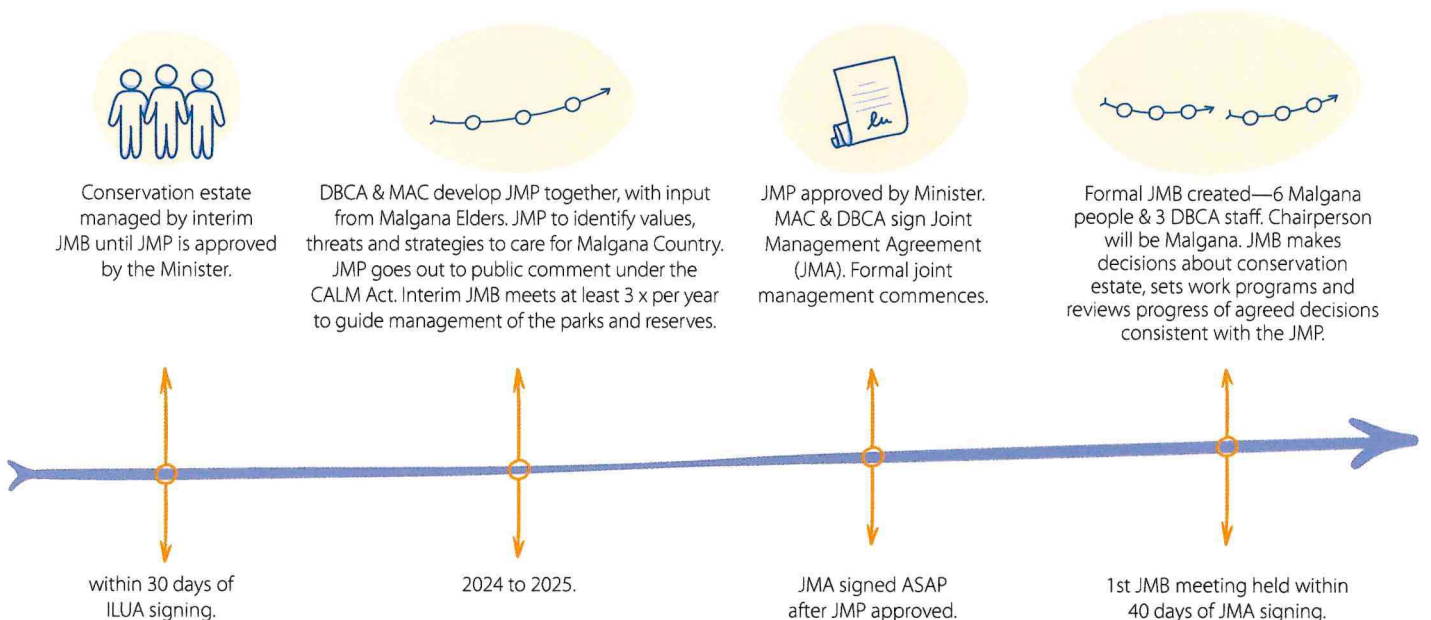
CPC	Conservation and Parks Commission
DBCA	Department of Biodiversity, Conservation and Attractions
ILUA	Indigenous Land Use Agreement
JMB	Joint Management Body
JMP	Joint Management Plan
MAC	Malgana Aboriginal Corporation
NNTT	National Native Title Tribunal
PBC	Prescribed Body Corporate

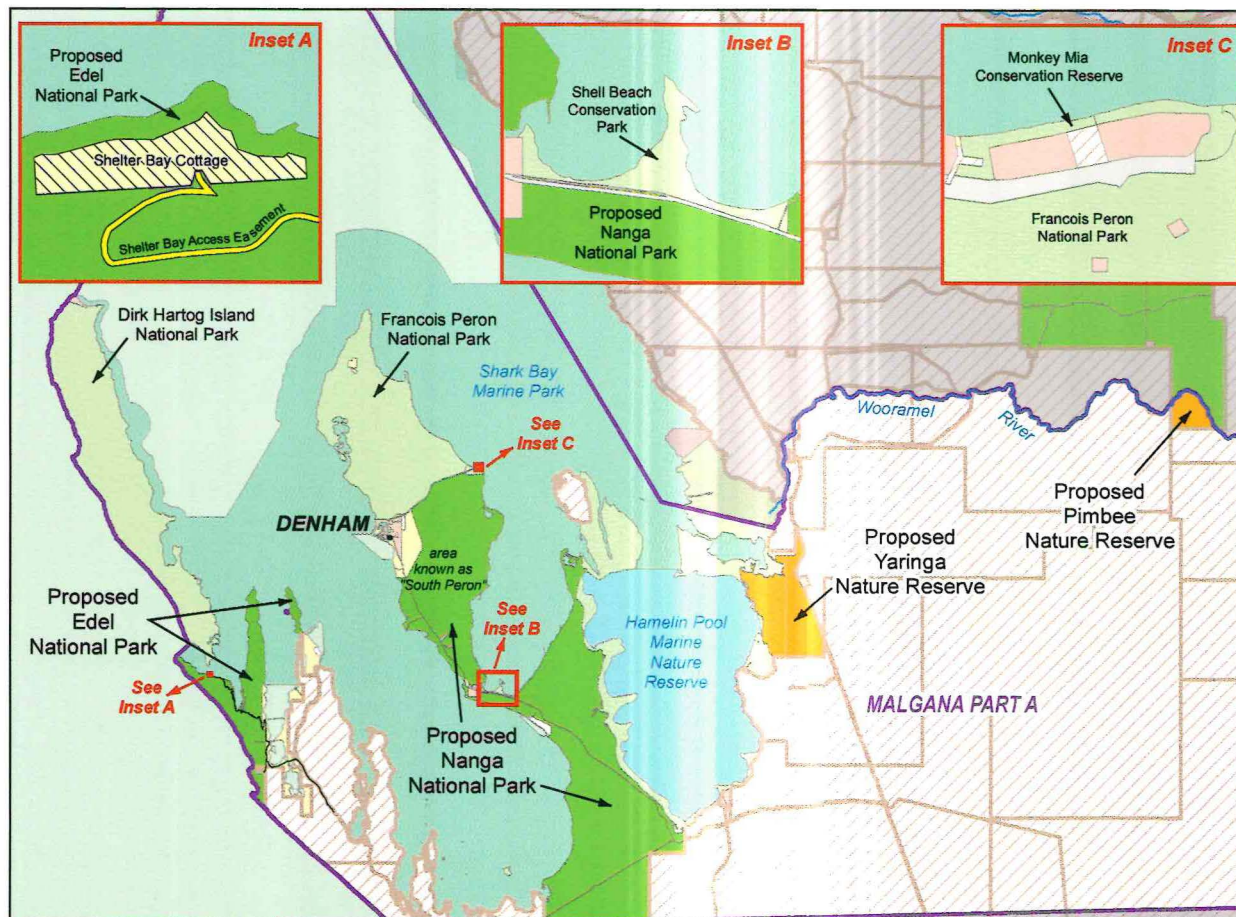


ILUA Steps



Joint Management Implementation Steps





Malgana Indigenous Land Use Agreement Area

Legend

Proposed conservation estate

- National park
- Nature reserve
- Shelter Bay Cottage Area (secondary consent)

Land tenure

- Existing terrestrial conservation reserves
- Freehold
- Crown reserve
- Marine park
- Marine nature reserve
- Leases
- UCL
- Public roads/Other public lands
- Pastoral leases
- Native title boundary

