



Australian Government
Director of National Parks

Senator Linda Reynolds CSC
Chair
Senate Environment and Communications Legislation Committee
Parliament House
CANBERRA ACT 2600

Dear Senator Reynolds

On 27 February 2017 I appeared as a witness before the Senate Environment and Communications Legislation Committee Estimates Hearing.

During the hearing the following exchange took place with Senator Siewert in relation to the management of the Kakadu Buffalo Farm:

Senator Siewert: *This is where we get to the tricky issue of who manages the farm and the fact that is inside the park. Why is that being allowed to continue?*

Ms Barnes: *Because it is a lease with the Northern Land Council.*

Senator Siewert: *What you are saying is that Mr Lindner is now running it for NLC.*

Ms Barnes: *I have written to the NLC to ask them to clarify their understanding. But certainly, from the paperwork we have, it is the NLC that holds the lease for the buffalo farm and for that area.*

Senator Siewert: *Does a person, if they are on the buffalo farm, need to have permission to take commercial photos?*

Ms Barnes: *Because the buffalo farm is run by the NLC, there is a query whether they actually need it on there, but we encourage them to apply for a photography licence once again, so we know where people are, but also to make sure it is culturally appropriate.*

Senator Siewert: *I appreciate the issues you have explained around the sensitivity of native title, but how do you ensure that the sites within the buffalo farm are being protected?*

Ms Barnes: *The lease arrangements have fallen to the Northern Land Council and the responsibilities for looking after the area within that lease also fall to the Northern Land Council.*

I wish to clarify these answers.

The Buffalo Farm is located in an area of Kakadu National Park that is Aboriginal land under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

When parcels of land within Kakadu National Park have been formally handed back to Indigenous Traditional Owners in line with recommendations in the Second Report of the Ranger Uranium Environmental Inquiry (Fox Inquiry 1977), the title of the land has been given to Aboriginal Land Trusts to hold on behalf of Traditional Owners. The land has then been leased to the Director of National Parks to manage as a national park and as a World Heritage Area jointly through a Board of Management consisting of a majority of Traditional Owners. The Northern Land Council (NLC) supervises and assists the Aboriginal Land Trusts, and provides support and advice to the Board of Management, to me as Director and to Parks Australia staff, on behalf of the Traditional Owners, most of whom still live in the park.

The day to day and long term joint management of land in Kakadu National Park is quite complex and respects the fact that Kakadu National Park is Aboriginal land and therefore at the core needs to be managed in culturally appropriate ways. The governance arrangements to support this outcome include the legislative framework, the lease agreements with the Director of National Park about how the park will be managed and about how Bininj/Mungguy will be involved in decision making, the Plan of Management and on-going consultation, undertaken by the NLC, with the appropriate Traditional Owners regarding actions to be undertaken in areas within the park.

My records show that in 1999 the NLC sought agreement to directly operate the Buffalo Farm on behalf of Traditional Owners in order to continue to provide fresh meat and services to Traditional Owners living in the park. This agreement was approved as appropriate by the then Director of National Parks. The approval set out the conditions with which the NLC must comply. I have not been advised of any changes to these management arrangements.

The Kakadu National Park Plan of Management specifically states that operation of the Buffalo Farm is to cease when current management arrangements come to an end and requires the site to be rehabilitated (at Policy 5.3.13).

In relation to photography, all commercial photography in Kakadu National Park requires authorisation by the park in accordance with the provisions of the Kakadu National Park Management Plan set out in Section 10.9.

It is my understanding that the photographer injured on the Buffalo Farm prior to Christmas was visiting the farm and not undertaking a formal commercial shoot at that stage.

I hope this information clarifies this regulatory framework within Kakadu National Park and I apologise for any misunderstanding.

Yours sincerely

Sally Barnes
Director of National Parks

23 March 2017