

The Chairs of the Joint Managed Parks passed the following resolution at their June 2009 meeting –

That the recommendations of the group as outlined in these minutes be provided to DECC as the Joint Management Board/Committee's submission on the Omnibus Bill legislative changes and on the Community Consultation Guidelines. Kim O'Donnell moved. Tony Williams seconded.

The recommendations that they made were:

The Chairs made the following recommendations about the proposed cultural heritage amendments to the *National Parks and Wildlife Act 1974*:

- Endorsed the comments of the Darug Peoples Advisory Committee and Central Coast Hunter Range Co-management Committee on the proposal for exemption for emergency fire activities from the need for Aboriginal heritage impact permits. If this is an exemption then proper planning for fire management needs to be done to minimise the impacts on Aboriginal objects and places and animals and plants of significance to Aboriginal people (both hazard reduction and in the pre-planning in the fire room during the emergency fire activities). When doing the emergency fire management activities, then pre-planning needs to clearly identify Aboriginal objects and places and the fire fighters need to exercise a reasonable duty of care in the protection of Aboriginal places. Also need to look at support for Aboriginal traditional burning practices to manage fires and also need to manage animals and plants of significance to Aboriginal people.
- Recommended that there should be some form of notification to Aboriginal people when a permit is issued in order to be able to appeal within 21 days

The Chairs made the following recommendations about the proposed amendments to Part 4A of the *National Parks and Wildlife Act 1974* (about Aboriginal ownership and leaseback):

- They supported and endorsed the recommendations on this issue put forward by the Mutawintji Board of Management. These recommendations were about making it possible for boards to buy new lands, reserve the land as a separate reserve category but still add these into the existing lease so that they become Aboriginal owned.
- The group had concerns with the proposal for reservation to continue on expiry of a lease, because it was not clear what is being proposed and what it would actually mean in practical terms for the Land Council, the Board of Management, the Aboriginal owners and DECC. What happens after the second 30 years? If the old lease holds over until a new lease is signed why is this change needed?
- Recommended that the indemnity for Board members should cover deputy board members as well.
- Recommended changes to the proposals regarding the Minister's ability to remove people from the Board:

- should be changed to “3 consecutive meetings unless the board has approved the absence’
- questioned how the Minister would know that someone is mentally incapacitated –the process for determining this needs to be very clear.
- Recommended that new changes be included that when a board members’ position becomes vacant then the deputy member fills the vacancy for the rest of the term of the Board. Recommended that once the deputy fills the vacancy on the board then each Board to make recommendations to the Minister on the process for appointing a new deputy.
- Recommended that changes are introduced to make it clear that an existing board stays in operation until a new board is appointed. Needs to be a transition process and a handover from the old board to the new board.
- Did not agree with proposal to include decision making procedures for Boards in the regulations. At the moment each board determines its own decision making process and this should continue and therefore this does no need to be in the regulations.