



# NOONGAR PEOPLE OF SOUTH WEST WA WELCOME THE NOONGAR RECOGNITION BILL

STACEY LITTLE SENIOR RESEARCH OFFICER NTRU

**T**HE NOONGAR (KOORAH, NITJA, Boordahwan) (Past, Present, Future) Recognition Bill 2015 (the Bill) was tabled in the Parliament of Western Australia on 14 October 2015. It forms part of the settlement package negotiated between the representatives of the Noongar People, South West Aboriginal Land & Sea Council (SWALSC), and the Western Australian government. The members of the six Noongar native title claims groups – the Yued, Gnaala Karla Boodja, South West Boojarah, Wagyl Kaip, Ballardong and Whadjuk – emphasised the necessity of formal Noongar recognition throughout the intensive settlement negotiations extending back to 2009. The text of the Bill states that the Parliament of WA recognises:

The living cultural, spiritual, familial and social relationship that the Noongar people have with the Noongar lands, and the significant and unique contribution that the Noongar people have made, are making, and will continue to make, to the heritage, cultural identity, community and economy of the State.

The Bill is the first of its kind in Australia and its tabling has already had a significant impact on members of the Noongar claim groups. The Bill has been welcomed by the directors of SWALSC, who consider that it both recognises and acknowledges Noongar People's relationship to the south west of the state, as well as their rights to practise their law, culture and carry out their responsibilities to country. Noongar man Dennis Jetta remembers the impact of legislative history on his people, including the harsh effects of the *Aborigines Act WA*, repealed in 1964, and the later 1967 referendum, which he feels brought acceptance, but not recognition to the Noongar. He described the tabling of the Recognition Bill as 'a day of closeness and togetherness' for his people.

Elder Fay Slater commented on the sense of identity and belonging she feels as a result of the Bill: 'We've always been "Oh I'm only a Noongar, we're nothing". But now, we're acknowledged as being people here with rights. It's just a wonderful feeling to have that acknowledgment and it really is a time to celebrate...It gives us back our pride and belief in who we are'.

The Noongar native title litigations ran for 12 years prior to the commencement of alternative settlement negotiations in 2009. SWALSC were instructed to move away from the claims process due to the low level of native title

rights attainable as a result of the increasing development in the area. Members of the Noongar groups expressed frustration at the native title process and lauded the move to an alternative settlement outcome. Noongar woman Heidi Mippy considers there is no value in native title claims for the Noongar People, and instead sees the settlement as providing the group with the ability to achieve improved outcomes for future generations. Ms Mippy expects that the settlement will give the groups the credibility required to be competitive in tendering processes for increased funding and services.

The effect of the recognition on the future generations of Noongar People was significant to Noongar elders. Janet Hayden stated on the day of the tabling that "my old heart, it felt like it was bursting. It was so emotional. It was our day...Those young people who sit down and look at what we've put up – what was given there today – it's theirs, you know, it's theirs now".

The settlement package also includes the establishment of the Noongar Boodja Trust to receive yearly payments of \$50 million for 12 years, the transfer of approximately 320,000 hectares of Crown Land to the trust, the creation of six Noongar Regional Corporations and a Central Services Corporation with operations funding to the sum of \$10 million a year for 12 years, the transfer of 121 properties to the groups, and a community development package.

Above: Members of the Noongar claim groups and staff of the South West Aboriginal Land and Sea Council (SWALSC) celebrating the tabling of the Noongar Recognition Bill on the steps of Parliament House in Perth on October 14 2015. Credit: Tracey Edwards, SWALSC.