

South West Native Title Settlement

Noongar Land Estate

WALGA Forum: Building Positive Partnerships with Aboriginal Communities

Department of Planning, Lands and Heritage: Agreements Implementation

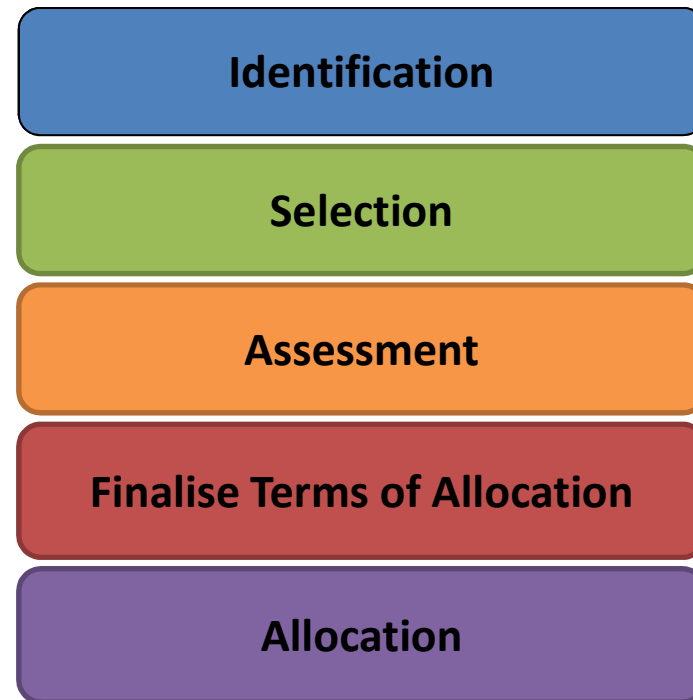
6 August 2019

Noongar Land Estate

- The Noongar Land Estate (NLE) will be held and managed by the future Noongar Boodja Trust (NBT) and will comprise:
 - Up to 300,000 hectares allocated as reserve or leasehold; and
 - Up to 20,000 hectares allocated as freehold.
- Land being considered for inclusion into the NLE is sourced from the South West Settlement (Settlement) area and is mostly unallocated Crown land (UCL) and unmanaged reserve (UMR).
- Other State held land such as freehold or managed reserves may be included into the NLE subject to the agreement of the responsible agency or management body.
- The land will be used and developed for cultural, social and economic purposes, depending on the needs and aspirations of the Noongar People.
- The NBT will be required to meet the standard costs, including rates and service charges, associated with owning freehold land.
- Rates will be based on the provisions of the *Local Government Act 1995* (WA) (LGA). Some land may be exempt from rates under s.6.26(2)(g) of the LGA.

Noongar Land Base Strategy

- The identification, selection and allocation of land for the NLE is carried out in accordance with the Noongar Land Base Strategy – Implementation Process (Implementation Process) agreed by all parties and implemented by the Department of Planning, Lands and Heritage (DPLH).
- The Implementation Process is based on the State's standard land assembly process carried out by DPLH when dealing on Crown land.



Land Assessment Portal

- The Land Assessment Portal (the Portal) is a simple and easy to use cloud-based online portal developed to automate identification and assessment of large volumes of land under State native title agreements.
- The Portal is a database for land information and includes a map viewer linked to accurate and up to date Landgate land data (tenure, cadastre, other).

The screenshot shows a web browser window with the URL <https://swnts.landgate.wa.gov.au/LandList/Ops/665>. The page title is "20181214_DoL_Ballardong_Nippering_IT_Exempt".

Key information displayed includes:

- Land List ID: 665
- Agreement: SWNTS
- Date Created: 2018/12/14 11:29
- Created By: Daniel Nonis (DoL)
- Owner: Daniel Nonis (with a "Change" button)
- Stage: DoL Initial Review
- Assigned Role: DoL Parcel Approver

On the right, there is a "Land List Status Comments" section with 2 events:

- Daniel Nonis (20/02/2019 10:47:01): Hi Emma, Land List is ready for referral to DMIRS for IA. AG09.
- Jason Gibbons (20/02/2019 10:43:15): Regional consultation complete.

A blue notification banner states: "Of the 3 parcels in this Land List, 0 have DoL File numbers. This land list is NOT eligible for skipping IA as some or all parcels have not been through IA before."

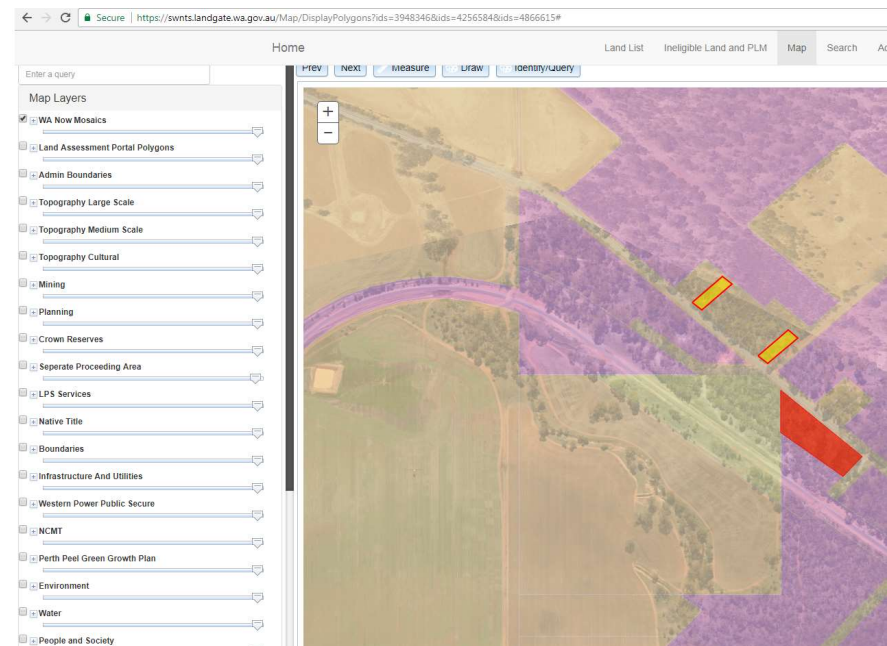
Below the banner are buttons for "Display on map", "Move", "Download CSV", "Download ShapeFile", "Apply to All - DoL Comment", and "Apply to All - File Upload".

At the bottom, a table shows 3 polygons totalling 1.04 Ha:

Actions	Pin	FC Exempt	Usage Description	Reserve No.	Lot No.	Survey	LGA	Polygon Area (Ha)
Filter:	(All)	(All)	(All)	(All)	(All)	(All)	(All)	
		<input type="checkbox"/>	Exempt	Crown Allotment (Type 2), Unallocated Crown Land	0	DP222905	DUMBLEYUNG(S)	0.13
		<input type="checkbox"/>	Exempt	Crown Allotment (Type 2), Unallocated Crown Land	88	DP222905	DUMBLEYUNG(S)	0.78
		<input type="checkbox"/>	Exempt	Crown Allotment (Type 2), Unallocated Crown Land	1	DP222905	DUMBLEYUNG(S)	0.13

Land Assessment Portal

- The Portal includes a map viewer, which gives users the ability to view and interpret spatial data, including tenure information and aerial photography, pulled from Landgate services.
- The map viewer also has helpful spatial analysis tools including the ability to:
 - measure, run queries on spatial data layers;
 - export the results of spatial data queries as spreadsheets or shape files;
 - draw on the map display; and
 - view various spatial data layers.



Land Under Consideration

- Currently over 9,700 parcels of land are within the phases of the Implementation Process, totalling 1.87 million hectares.

Phase	Total ha
Identification	297,000
Assessment	206,000
Ineligible or subject to further assessment	681,000

Land Access Agreements

- The Noongar People have been recognised as the traditional owners of the Noongar land in the south west of Western Australia. The State recognises the ongoing spiritual, cultural and social connection of the Noongar people to the land and the importance of accessing those lands and undertaking customary activities.
- Under the Settlement, the Minister for Lands has committed to granting Licences under section 91 of the Land Administration 1997 to allow the Noongar people to continue to access and undertake customary activities on certain Crown land.

Land Access Agreements

What do the licences allow for?

Licences will allow access to for customary purposes including:

- Visiting and caring for sites and country
- Gathering, preparing and consuming bush tucker
- Conducting ceremonies and cultural activities
- Short term camping on country (limited to 14 days)
- Meetings on country

What is not permitted under the licences?

- Use of vehicles outside of roads and tracks
- Lighting of fires in recreational areas, urban areas, camping areas where lighting of fires is not permitted or where it is unsafe to do so.
- Camping for more than 14 consecutive days, on recreational and urban land and on roads or tracks
- Discharging firearms



Land Access Agreements

Which land is covered?

- Permitted activities apply to UCL and UMR subject to a number of exclusions including:
 - UMR which is placed under management under statute (Ports, Rail, Conservation etc.)
 - State Agreement areas where the State has agreed not grant rights in the land.
 - Land subject to mining and petroleum tenements (including State Agreement tenements).



How can Local Government contribute?

- Land held by local government which could be included into the Settlement:
 - Culturally significant to the Noongar people.
 - Potential for economic and community use.
- NBT will be a major land holder and manager within the Settlement Area. LGAs could assist in unlocking development potential:
 - Re-zoning and other planning exercises.
 - Identifying development opportunities.
- LGAs are well placed to provide advice, identify economic opportunities for the future NBT and otherwise work to build a mutually beneficial relationship.

Further Information

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