

7 March 2008

Noongar people welcome change in direction on native title

The Noongar people and the South West Aboriginal Land and Sea Council are heartened by the change in direction to native title of the Commonwealth and urge the State Government to follow. The Rudd Government has today foreshadowed a shift in native title to help deliver practical economic benefits.

Mr Glen Kelly CEO of the South West Aboriginal Land and Sea Council said, "Finally we are seeing a government that isn't afraid to take a fair-minded approach to native title. Most of the rhetoric we have been hearing until now has been scare mongering".

"Native title is one of the only things that has had a real and positive effect for Aboriginal communities. It has done this by allowing Aboriginal people and industry groups to negotiate agreements which provide certainty for industry as well as providing employment and other real benefits for the community".

Mr Kelly added, "We welcome the comments of the Minerals Council of Australia and the Attorney General and would like to also emphasise the need for good faith negotiations between parties rather than lengthy and expensive litigation particularly when we already have legal certainty over the principles of native title".

"The Commonwealth have indicated they are ready to commit to an approach that will make native title a much more workable system for all parties with an emphasis on negotiation. We would hope the State follows this lead and focuses on working with us rather than continuing the court battles, which ultimately serve no one".

One of the structural issues of the native title system is the resourcing that is applied to the Native Title Representative Bodies like SWALSC. After an era of extremely scare resourcing, it has already been indicated that Native Title Representative Bodies in Western Australia are facing real budget cuts through allocations not keeping up with inflation. A more workable native title system requires that Native Title Representative Bodies are properly funded to do the job that is required of them under the *Native Title Act (1993)*.

SWALSC and the Noongar people are awaiting the decision from the Federal Court in relation to the State and former Commonwealth Governments' appeal of the successful Single Noongar Claim. The Single Noongar Claim is a native title claim that was lodged by SWALSC, on behalf of the Noongar people.



South West Aboriginal
Land & Sea Council

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MEDIA RELEASE

The original decision, which covers the Perth Metropolitan areas, was handed down in September 2006. Through this decision the court agreed that the Noongar community have maintained its connection to the South West under a body of laws and customs which have been observed and acknowledged through to the present day. This was appealed by the State and Commonwealth Governments.

The Single Noongar Claim already excludes all freehold land and virtually all leasehold land as well. This will mean that the vast majority of Perth will not change.

Mr Kelly added, “We look forward to working with the Commonwealth on the final determination of the Single Noongar Claim and hope that the State of Western Australia can recognise that this is a momentous occasion to work with the Noongar people. In the end everyone wants the best for Noongar people. Native title will help deliver this”.

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