



SOUTH WEST ABORIGINAL LAND AND SEA COUNCIL

The South West Aboriginal Land and Sea Council is the representative body for the traditional owners of the South West of Australia, the Noongar People. SWALSC's main role is to work with its members and other stakeholders to find resolutions for Native Title Claims in the south west as well as advancing the Noongar culture, language and society.

The Noongar People are one of the largest Indigenous groups in the Country, with an estimated 30,000 living in Western Australia's South West. The Noongar people continue to hold a proud connection with the land. Their culture and traditions are still as strong today as they were over 200 years ago.

The organisations' work is directed by the elected council, all of whom are Noongar people and elected every four years by Noongar people. SWALSC has been working in the interests of Noongar people since 2001 when the organisation was formed.

WHAT IS NATIVE TITLE?

Native Title recognises rights held by Aboriginal people who have maintained a traditional connection to areas of land and waterways since European settlement.

The Federal Court of Australia is the body which determines if an Aboriginal Community has demonstrated a traditional connection to land and waters, with the High Court occasionally stepping in to clarify contested issues of native title law.

Native Title can only exist in areas such as vacant Crown Land, some National Parks, Forests and Public Reserves, some types of pastoral areas and some Aboriginal Communities. Compensation for loss of native title caused by government dealings in land can only be claimed if the "extinguishment" happened after 31 October 1975.

Extinguishment refers to events such as selling land for housing developments. Most events which results in land no longer being vacant Crown Land extinguishes native title over that land.

Aboriginal people who place a claim over an area need to be able to demonstrate a considerable amount of evidence to support their connection to the land, including a direct ancestral connection back to the time of European settlement by a substantial number of the group of claimants.

In addition to this, claimants also need to demonstrate that they have continued to uphold the traditions that their ancestors undertook. This includes recognising and practicing traditional laws and customs.

Native Title provides Aboriginal people with the opportunity to support themselves and their Communities and does not remove any rights for other members of the community. However many Native Title claims are rejected.

WHAT IS THE SINGLE NOONGAR

The South West Aboriginal Land and Sea Council lodged the Single Noongar Claim in 2003 on behalf of 218 Noongar families.

On 19 September 2006 Justice Wilcox ruled that native title had survived in those parts of the Perth Metropolitan area where it hadn't been "extinguished" by government dealings, on the basis that Noongar people have maintained their connection with the whole of their country in south west WA, and have continued their traditions and practices.

The decision is currently being appealed by the State and Commonwealth Governments in the Full Federal court. It is expected that the Full Court's decision will be made in the first half of 2008

If ruled in favour of the Noongar People, the appeal will determine that Native Title exists in the vacant crown land within the area on the map below.



Noongar Country
The Noongar people, live in the South West of Australia. Noongar Country covers all of the South West from Jurien in the North to west of Esperance and the coastal area in Between including Perth.