

NATIVE TITLE CLAIMS

**929. Ms J. FARRER to the Minister for Aboriginal Affairs:**

I refer to the McGowan Labor government's support for self-determination by Aboriginal people.

Can the minister update the house on this government's achievements in settling native title claims across the state and outline how these determinations support the recent NAIDOC week theme, "Always Was, Always Will Be"?

**Mr B.S. WYATT replied:**

I thank the member for Kimberley for her question. It was not that long ago that the theme of this year's NAIDOC week, "Always Was, Always Will Be", was a protest chant by Aboriginal people advocating for their rights. It is now broadly accepted across Western Australia.

Over the last nearly four years, I have wanted to update the house on the progress of native title claims in the previous 12 months. Native title is a Western Australian story. Even though it is a commonwealth act, Western Australia is the only state not to have a separate land rights regime. Native title has been the dominant, effectively, title regime for Aboriginal people in Western Australia. Of all exclusive possession, 95 per cent of native title is in Western Australia, in the Kimberley region in particular. Native title now has created, over the last 20 years in particular, an architecture around the state of prescribed bodies corporate and representative bodies that are now a permanent part of the environment in which the government and the private sector operate. As at 17 November, a total of 1 893 000 square kilometres of Western Australia is covered by native title determinations. That is 75 per cent of the state. The point I make is that we are the native title state. Of that 1.8 million square kilometres, a third has been effectively determined in the last four years. There has been a real ramp-up in native title determinations under this government. By and large, we have done that by consent. A lot of effort has gone into ensuring that these are not decided by the court, but by agreement. I note that we are well over halfway in respect of native title, so we are dealing with the tougher native title claims. But of the 53 determinations in the last nearly four years, 46 have been made by consent, which highlights the success we have had. We have delivered just over 617 000 square kilometres of recognised native title.

Importantly, we will have—hopefully very soon—a resolution of the Noongar settlement that has been going on for a long time. Next week, on 26 November, the High Court is due to hear the special leave appeal. This goes back to the Noongar decision of September 2006, to give the chamber some idea of how long this has been going through the court process. Hopefully, the objections that were lodged when the previous government struck that agreement with the South West Aboriginal Land and Sea Council will finally be resolved next week and we can move forward with what still stands as Australia's largest and most significant native title agreement between a state government and a body of Aboriginal people. The Noongar people in particular have been frustrated by this long delay through litigation, but I am confident that we are nearly there. Hopefully, everybody in this place can very shortly celebrate the final conclusion and, therefore, the registration of those six Indigenous land use agreements that make up the Noongar settlement.