

**LEGISLATIVE COUNCIL
SECOND READING SPEECH
LAND ADMINISTRATION (SOUTH WEST NATIVE TITLE SETTLEMENT) BILL
2015**

The South West Native Title Settlement (Settlement) entered into by the state government and Noongar people is the most comprehensive native title agreement in Australian history, comprising the full and final resolution of all native title claims in the south west of Western Australia, including Perth, in exchange for a comprehensive settlement package. The agreement affects around 30 000 Noongar people and is an investment in both the Noongar community and the shared future of all Western Australians.

The package provides the Noongar people with \$1.3 billion in land and other assets and benefits in exchange for the surrender of native title claims over 200 000 square kilometres of land in the south west. Under the overall agreement, an independent Noongar Boodja Trust will be established into which assets will be transferred over 12 years. This includes funding of \$50 million per annum for 12 years and the transfer of up to 320 000 hectares of crown land to the trust. The state also agreed that, as soon as reasonably practicable after the six Indigenous Land Use Agreements were executed, it would put before Parliament an enabling bill that would allow for the allocation of interests in land to the Noongar Land Estate and facilitate Noongar access to certain unallocated crown lands and unmanaged reserves for a limited set of customary purposes.

The *Land Administration (South West Native Title Settlement) Bill 2015* provides for the implementation of certain provisions of the native title settlement reached between the state and Noongar people in the south west of the state and to ensure there is no inconsistency between these aspects of the settlement and the *Land Administration Act 1997* as it currently stands. In particular, it provides for the implementation of a land base strategy for the establishment of the Noongar Land Estate and the grant of a land access licence to each of the six regional corporations in accordance with the settlement terms and for related matters.

The Noongar Land Estate is land allocated to the Noongar Boodja trust to be held in trust for the benefit of the Noongar people. The establishment of the Noongar Land Estate will result in the allocation of up to 20,000 hectares of freehold land and up to 300,000 hectares of crown land either under lease or as reserves under management order to the Noongar Boodja Trust. A land access licence is also to be granted by the Minister for Lands to each of the six regional corporations that will allow Noongar people to access and undertake customary activities such as gathering flora, fauna and ochre on certain unallocated crown land and unmanaged reserves.

As with the *Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015*, which provides for the recognition of the Noongar people as the traditional owners of Noongar lands in the south west of the state, the passage and commencement of this bill is a precondition to the commencement of the Settlement.

“Pursuant to Standing Order 126(1), I advise that this Bill is not a uniform legislation Bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the Government of the State is a party. Nor does this Bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the Commonwealth.”

I commend the Bill to the House and table an Explanatory Memorandum.