

**NOONGAR (KOORAH, NITJA, BOORDAHWAN)  
(PAST, PRESENT, FUTURE) RECOGNITION BILL 2015**

*Second Reading*

Resumed from 14 October.

**MR D.A. TEMPLEMAN (Mandurah)** [9.47 pm]: I will commence the debate on the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015, but I notify the house that I am not the lead speaker for the opposition on the bill. Given the opposition's cooperation on the City of Perth Bill 2015, I am hoping that the house will not be kept too much longer tonight. There was certainly no filibustering in the debate on the City of Perth Bill, so I was hoping that the Premier would indicate what time the house may rise tonight, given that the Leader of the House is not in the chamber, which I would invite through interjection.

**Mr C.J. Barnett:** Make your speech. We're going to have at least one speaker.

**Mr D.A. TEMPLEMAN:** I thought that the government would have been rejoicing a little about the passage through this chamber of the City of Perth Bill, but if the Premier is going to sit there being grumpy, that is his choice.

**Mr C.J. Barnett:** I'm not grumpy; the program was always to go onto this bill.

**The DEPUTY SPEAKER:** Order! Member for Mandurah, we are talking about the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015.

**Mr D.A. TEMPLEMAN:** That is his choice. If that is the case, members of the opposition might want to prepare. We are happy to go further; as long as we like, frankly.

The Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 is a significant bill for Western Australians and Indigenous Western Australians in that it recognises the Noongar people as the original custodians of the land. That has been highlighted in bill's detail. The bill builds on the significant Constitution Amendment (Recognition of Aboriginal People) Bill 2015 that was introduced to this place by the member for Kimberley, passed by this house, and, ultimately, the Parliament of Western Australia a month or so ago. The Constitution Amendment (Recognition of Aboriginal People) Bill 2015 inserted specific recognition of the first Western Australians into the Constitution of Western Australia. That was a significant and, I think, pivotal part of our ongoing recognition of the first Western Australians—the Aboriginal people of Western Australia.

In debating the bill before us, it is important to acknowledge its intention. Is it a bill for the recognition of not only the Noongar people as the traditional owners of the land, but also the tremendous cultural history of the Noongar people of the south west area. The significance of the Noongar nation and its contribution in the cultural and historic context of the state's history is an important part of the recognition of the Noongar people. The second reading speech states that the bill contains three Noongar words in its title, which is a first for Western Australian legislation. The title contains the words "Koorah, Nitja, Boordahwan", which mean "past, present and future".

This bill is a reflection in very many ways of my early years in the town of Northam in the wheatbelt of Western Australia, where I was born. I have very vivid memories, as a young boy growing up in Northam, of the sorts of experiences of the Indigenous people of Western Australia, particularly the local Indigenous people of Northam. When I reflect on just my early years in Northam, I reflect on the way Aboriginal people were treated in my town. But it was not just in my town; it was the same throughout many Western Australian communities. I still remember those days. I will celebrate my fiftieth birthday on Saturday, but I still remember vividly the reserve on the outskirts of Northam and the substandard—in many respects inhumane—housing provided for many Indigenous families, many of whom were housed in the reserve. Although I do not have a memory of a curfew, I am aware it happened and that many Aboriginal people were not allowed, effectively, to be seen on the streets of Northam after sundown. I also remember some of the tremendous local Indigenous people who were part of the Northam community when I was growing up there. I am really pleased that one of the things about Facebook is that it allows people to reconnect. I now keep in contact as Facebook friends with some classmates from I had in Avonvale Primary School and Northam Senior High School. It is interesting to note and actually quite reassuring to reconnect and catch up with the stories of their life journey. Many of the Indigenous boys and girls whom I went to school with in Northam at both Avonvale Primary School and Northam Senior High School were particularly impressive and were very proud people. Many of them also, like many other people in that town, made and continue to make a great contribution to the community of Western Australia. When I fast-forward to my time as an elected member of the City of Mandurah, as deputy mayor in the early to mid-1990s, I remember vividly the then Mayor of Mandurah, Keith Holmes. The other councillors used to receive, as most councillors did, the agenda for meetings. I can remember very vividly one particular agenda being delivered to us that had a

report in it referring to the then federal Minister for Aboriginal and Torres Strait Islander Affairs in the Hawke government. I think it was Robert Tickner; the member for Kwinana may just correct me.

**Mr R.H. Cook:** Yes.

**Mr D.A. TEMPLEMAN:** Robert Tickner wrote to councils all around Australia in 1993–94—it may even have been under the Keating government—encouraging councils to consider flying the Aboriginal flag within their municipalities. I do not want to reflect on the officer or officers of the council, as they are actually not there anymore, but usually the officers would have a report and a recommendation for normal council agendas. On this particular issue they did not present us with a recommendation. It astounded me. I remember talking to Keith Holmes when he and I were having a chat about it, and saying that we thought it was quite a reasonable thing to do. However, it was interesting to note that the officers at the time did not feel able to even make a recommendation to council to agree with the suggestion of the then federal Minister for Aboriginal and Torres Strait Islander Affairs to fly the Aboriginal flag. Subsequently, like many other councils, we recognised that it was not only an important part of the reconciliation process, but also a significant and important part of genuinely working together with our local Indigenous community in Mandurah for the enhancement and progress of all people.

That brings me to some significant Indigenous members of the Peel region, both past and present. We have had some outstanding Indigenous Noongar leaders in the region of the Peel, and we have some outstanding elders and leaders now in the Peel. I know they would be particularly proud if they were alive today to know that this Parliament is debating, and I am sure passing, this Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. I want to mention people like the late Joe Walley, the late Frank Nannup, and the late Theo Kearing, to name just a few Indigenous elders of the Peel, who in their approach to not just reconciliation, but in promoting their people as absolutely legitimate participants in our community, were tremendous. I will always remember the late Joe Walley, because every time we had a civic function, a festival, an Australia Day celebration, or whatever it might have been, Joe would always in his speeches talk about the importance of walking together. Although acknowledging country, and acknowledging it as his country, he would always talk about walking together and about how this was a journey that we were doing together.

I believe that underpins the spirit of this legislation, and the reason why we are doing this. For the proud Noongar men and women of the Pinjarra people, which encompasses particularly the people of the Pinjarra–Mandurah area, this bill is very significant. It is interesting that milestone pieces of legislation such as this bill, and the Constitution Amendment (Recognition of Aboriginal People) Bill, which the member for Kimberley so effectively and courageously introduced and had carriage of earlier this year, underpin the importance of what Joe Walley always said—that we walk together in this journey.

I am also pleased that we have very respected Indigenous leaders in the region who have come after those whom I have just mentioned, such as George Walley, and Harry Miller. Harry was in Fiona Stanley Hospital recently. At the City of Mandurah Australia Day ceremony on 26 January this year, Harry Miller was made the first Aboriginal Freeman of the City of Mandurah. One could not see a prouder person than Harry when he received that honour.

**Mr M.J. Cowper:** He is now at Peel hospital.

**Mr D.A. TEMPLEMAN:** Yes. He is at Peel Health Campus, and I visited him there last week. Harry does not live in the city of Mandurah, but he received that honour in recognition of his gentle approach to ensuring that the Noongar people—the Pinjarra people—are rightfully acknowledged as a matter of culture and as a matter of day-to-day operation in our city and our community. Harry has not been well, and he has been in hospital now for a month and a bit. He is now back at Peel hospital, and I know that he is pleased to be there and not at Fiona Stanley Hospital, not that he has anything against Fiona Stanley Hospital, but because he needs to be close to his family, and close to country, too. I wish him all the very best as he recovers from his operation and his challenges.

This brings us to —

**Mr M.J. Cowper:** He might be out tomorrow, I think, member.

**Mr D.A. TEMPLEMAN:** I hope so.

**Mr M.J. Cowper** interjected.

**Mr D.A. TEMPLEMAN:** That is wonderful; I am pleased to hear that.

[Member's time extended.]

**Mr D.A. TEMPLEMAN:** The other local Indigenous leader I have great respect for is George Walley. George is an educator and administrator of the local Indigenous medical service in Mandurah, but he is also a great storyteller and musician. One of the things I like about George is that when he shares, whether it is a welcome to

country or an opportunity to share on public and civic occasions, he always tells the gathered audience about the significance of the place they are at. It might be a beach in Mandurah, it might be the foreshore or it might be the locality of a suburb, but he will always explain and tell the story of that place—the significance of that place, who and why it was significant, and why it remains significant. That is really important and I keep saying to George whenever I see him and hear him speak to please keep doing this because it is a way of us all understanding the connection to land of our Indigenous community.

In this bill there is a preamble that is a statement about the background in which the bill was developed. It describes the relationship and responsibilities that Noongar people have had and continue to have in the land they call Noongar Boodja. It refers to contributions Noongar people have made and continue to make to the state and it also provides the background of recognition of Noongar people as traditional owners. That is enclosed in the preamble. Clause 3 of the bill identifies the area of Noongar lands. They are referenced, and these lands extend over an area of approximately 195 000 square kilometres, located to the south and west of a line from Geraldton in the north to Cape Arid in the south east. That is a very significant area and, of course, it is a significant area for consideration. Clause 5 refers to the recognition of the Noongar people and it provides for the acknowledgement and honouring by Parliament of the Noongar people, again, as the traditional owners.

I think that as this bill passes through this Parliament we need to consider how else in the future we will continue to reinforce the importance and significance of the Noongar people as the people from the land on which we meet here, and of course of all Aboriginal people throughout the state. I have had discussions with the member for Kimberley and I am sure that when debate on this bill continues, either tomorrow, next week or when it is brought on again, the member for Kimberley will make a contribution. We have talked about how else this Parliament recognises and continues to acknowledge Indigenous people. In all aspects I think it must be genuine; it should not just be words that are put together to try to make people feel good. It has to be genuine. I am not saying this bill is not genuine, because it is a genuine bill. However, I think when we talk about recognition and acknowledgement, it has to be genuine; it has to be actually meant. I am sometimes concerned that people may utter or highlight words, but they do not really mean them or they are not really genuine in terms of the meaning. For that reason, I think that suggestions, some of which are symbolic, such as when this Parliament flies the Indigenous flag; in fact, flies the Indigenous flags—both the Aboriginal and the Torres Strait Islander flags. We tend to fly that flag irregularly. I think—I could be corrected—the Aboriginal flag is flown by this Parliament possibly when Parliament is convened.

**Mr R.H. Cook:** And NAIDOC Week.

**Mr D.A. TEMPLEMAN:** Yes, and during National Aborigines and Islanders Day Observance Committee Week. But it certainly does not fly when this Parliament is sitting. Yet, most councils in Western Australia, not all, fly three and sometimes four flags together continuously when there is council meeting and when the council is not meeting. If members went to the City of Mandurah council, they would find that the Australian, Western Australian and Aboriginal flags are flown.

**Mr J.E. McGrath:** It's the same in South Perth.

**Mr D.A. TEMPLEMAN:** The member for South Perth interjected to say that it is the same in South Perth. Why does it not happen at the Parliament of Western Australia? I hope that I am not taking the member for Kimberley's thunder, but this is an issue that the member for Kimberley took the time to write to the Presiding Officers of the Parliament about. Quite frankly, I am not reflecting on the Chair or on either Presiding Officer, but I think that they found this issue difficult to deal with. Why should we find this issue difficult to deal with? Quite frankly, I think this Parliament should fly the Aboriginal flag, or flags, when we sit. In this significant year, when we have already passed a bill that acknowledges the Indigenous people of Western Australia in our Constitution and are now debating a very, very important bill that recognises the Noongar people as the original custodians of this land where we meet, we should actually do that. I understand that the current procedures in this place do not allow us as a Parliament to request that, because it is actually under the jurisdiction of the Presiding Officers. I am afraid that I do not agree with that. I do not think it should be the responsibility of the Presiding Officers; I think Parliament should take that power and make that decision. In the spirit of these two pieces of significant milestone legislation, Parliament should unanimously agree on that. I ask the Premier: is it correct that this is the first time that we have had a bill that includes Noongar language in its title? I am sure that this milestone bill will pass this house and this Parliament. On top of that, we have the bill that the member for Kimberley had carriage of earlier this year. Surely, we are mature enough to say that we will fly the Aboriginal flag. I would be guided by Indigenous leaders on whether we should include the Torres Strait Islander flag as well. I do not know those protocols and I would prefer to be advised by people who know these things. I cannot see why that cannot happen. I hope the member for Kimberley will continue to pursue this issue because I think it is a valid one. There are about 10 flagpoles at the front of the building, from memory, but I have not counted them. I can see absolutely no reason, particularly when this Parliament is sitting, why each morning when those flags are hoisted by whoever has that role, we cannot add to that procedure the hoisting of our Indigenous flags

to recognise the significance of this bill and the other bill that has already passed this place and been proclaimed. Maybe the Premier will intervene or have a word to the Speaker and the President of the Legislative Council and appeal to them, because they have power. I understand that it is at their discretion to make such a decision. Maybe this Parliament could propose a motion of some sort at some stage to request that the Presiding Officers set up that protocol. I think that is sensible and significant in light of these two pieces of legislation, and I hope that it will be accepted in the spirit that the member for Kimberley originally suggested in her letter to the Presiding Officers late last year. It is out there. Let us do it. It is sensible, it is simple and it is the right thing to do.

Debate adjourned, on motion by **Mr C.J. Barnett (Premier)**.

*House adjourned at 10.16 pm*

---