

Central Services Corporation

Cultural Consultation Policy

Policy number	X.XXXX	Version	DRAFT
Drafted by	Malcolm Firth	Approved by Board on	[insert date]
Responsible person	[insert name]	Scheduled review date	[insert date]

Introduction

This policy is written so as to meet the requirements in the CSC Rule Book, that the Corporation and the Noongar Corporations Committee (the NCC) must jointly develop and maintain a Cultural Consultation Policy. This Policy must establish a process for the Corporation to consult with persons with **Cultural Authority** on matters affecting **Cultural Interests** (CSC Rule 16).

Purpose

This is a Draft Policy which has been developed for the purposes of receiving feedback from the Community and for endorsement as a Draft Policy at the pre Incorporation Meetings. The final Policy will be adopted by the Corporation, in consultation with the Noongar Corporations Committee after the Corporation is appointed as the Central Services Corporation.

Scope

The NCC is a Committee of the Corporation, accordingly the Corporation's Cultural Consultation Policy extends to the operations of the NCC.

Definitions (as per CSC Rule Book)

Cultural Interests:	means the communal, group or individual rights and interests of the Noongar people recognised under Law and Custom .
Law and Custom:	means the body of traditions, laws, customs and beliefs recognised and held in common by the Noongar people and includes those traditions, laws, customs and beliefs exercised in relation to a particular area of land and waters, traditionally accessed resources, and persons.
Cultural Authority:	means the right and responsibility recognised under Law and Custom for a particular person, or group of persons to speak for and make decisions on behalf of the Noongar Community about certain matters affecting Cultural Interests.

Corporate Cultural Decision	<p>means a decision of a Regional Corporation to do or agree to do an act that is likely to materially affect Cultural Interests in the Region, including a decision:</p> <p>(a) about how land and waters in the Region should be used or managed;</p> <p>(b) to request the Noongar Boodja Trustee to convert Cultural Land within the Region to Development Land pursuant to the Noongar Boodja Trust Deed;</p> <p>(c) about who should perform the role of “Aboriginal Consultant” under an Aboriginal heritage agreement in relation to land and waters within the Region;</p> <p>(d) by the Noongar Boodja Trustee that necessitates a:</p> <p>(i) Decision to Proceed in relation to:</p> <p style="padding-left: 40px;">A. Development Land; or</p> <p style="padding-left: 40px;">B. Housing Land; or</p> <p>(ii) Cultural Land Development Decision in relation to Cultural Land; or</p> <p>(e) as to the grant of an interest to the Corporation in relation to Cultural Land.</p>
Noongar Land:	Means the lands inside the outer boundary of the combined areas of the Wards as Outlined in Schedule 1 of the Rule Book.

Policy

In dealing with a Regional Corporation on any matter that may affect Regional Cultural Interests, the CSC must ensure that the Regional Corporation is advised and is given the opportunity to obtain a Cultural Decision from the Community, in accordance with that Region’s Cultural Advice Policy.

In considering any matters relevant to the Cultural Interests of the entire Noongar Community, the Corporation must develop and implement such consultative mechanisms as are required to enable constructive consultation with persons who collectively have Cultural Authority relevant to the entirety of the **Noongar Land**.

When the Noongar Relationship Committee is developing Policies and Procedures for the Trust, or is facilitating Trustee communication with the Noongar Community, as per Clauses 3.2 , 3.3 and 15.2 of the Trust Deed, the NCC must first consider how best to assist the Trustee in these matters by developing specific proposals to take to the Trustee.

Related documents

- CSC Rule Book
- Regional Corporation Rule Book
- Noongar Boodja Trust Deed

Authorisation

[Signature of Chairperson]

[Date of approval by the Board]