



February  
2021



# Boorna Wangkiny



## CHAIRPERSON'S MESSAGE

Vanessa Kickett

*"The appointment of Mr Moore, Mr Riley and Mr Pickett means that SWALSC now has a full complement of directors. I look forward to working closely with all the directors as we work to implement the South West Settlement for the benefit of all Noongar People," Mrs Kickett said.*

## SWALSC DIRECTOR ELECTION UPDATE

All vacant director positions have now been filled with the appointment of directors for the Yued, Gnaala Karla Booja, and Wagyl Kaip wards.

New elections were conducted for these three wards. On 1 February 2021, Brendan Moore was elected unopposed as the member-elected director for the Yued ward.

On 17 February 2021, the independent returning officer declared the results for the contested elections for the Wagyl Kaip and Gnaala Karla Booja wards. Laurence Riley was elected as the member director for the Wagyl Kaip ward and Roger Pickett for the Gnaala Karla Booja ward.

SWALSC Chairperson, Vanessa Kickett, congratulated Brendan Moore, Laurence Riley, and Roger Pickett on their election and welcomed them as directors.

## SWALSC directors as 17 February 2021

### BALLARDONG ward director:

Mr Barry Winmar

### GNAALA KARLA BOOJA ward director:

Mr Roger Pickett

### SOUTH WEST BOOJARAH ward director:

Ms Noelene McCormick

### WAGYL KAIP ward director:

Mr Laurence Riley

### WHADJUK ward director and Chairperson:

Mrs Vanessa Kickett

### YUED ward director:

Mr Brendan Moore

**EXPERT DIRECTORS:** Mr David Ashton and Ms Vanida Lennon

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## NOONGAR CHARITABLE TRUST MEETING

On 29 January 2021, Equity Trustees, who are the managers of the Noongar Charitable Trust, held a meeting to provide information to all Noongar people regarding the purchase by the trust of the El Caballo properties at Wundowie and the distribution of funds to the Aboriginal Housing Recovery Centre Limited (AHRCL) to purchase properties at Midland and Guildford.

At the meeting, Equity Trustees provided information and answered community questions about:

- the acquisition, ownership and management of the El Caballo, Midland and Guildford properties;
- the management and future of the El Caballo properties;
- Noongar priorities for the Noongar Charitable Trust; and
- ongoing communication and consultation with Noongar people.

Equity Trustees have put a copy of their 14 page presentation on their webpage, which can be viewed by following the link to 'view presentation here' at: <https://noongarcharitabletrust.com.au/noongar-charitable-trust-information-update/>

If you have any questions for Equity Trustees about the presentation or the outcomes of the meeting, please contact Equity Trustees by email on: [nctapplications@outlook.com](mailto:nctapplications@outlook.com) or by telephone on: 1300 133 472.

## LISTENING MEETINGS

On 30 January 2021, SWALSC conducted six listening meetings in six locations on Noongar Boodja in Busselton, Katanning, Quairading, Bunbury, Moora, and Cannington, Perth.

The purpose of the meetings was to provide the Noongar community with:

- Background of the South West Settlement and the Noongar Boodja Trust and what they will deliver for Noongar people;
- An explanation of the High Court decision that resolved five years of appeals against the registration of the ILUAs;
- The Noongar governance structure for the South West Settlement; and
- Information about the steps that will need to be taken this year to establish the Noongar governance structure, including the six regional Noongar corporations, and to transition to the new structure.

The meetings also provided people with an opportunity to tell SWALSC what their priorities are, and to explain how the community would like information to be provided by SWALSC.

A common outcome from all six listening meetings was a community desire for more information and consultation meetings on country before the pre-incorporation decision making meetings take place, to discuss in detail the rules for the regional corporations and the cultural advice policy.

## OFFICE MOVE

SWALSC has moved out of its long standing office in Cannington and moved into a new office at Level 2, 100 Royal Street, East Perth WA 6004. The SWALSC telephone number and the post office box postal address has stayed the same.

The new East Perth office and SWALSC staff were cleansed with a smoking ceremony to purify and unite the team for the fresh start in the new office and to ward off the *warra wirrin* and to bring in the blessings of the *kwop wirrin*.



## KEY DATES FOR AGREEMENT IMPLEMENTATION

Since the High Court decision on 26 November 2020, implementation of the South West Settlement has been in full swing. The following is a list of the key dates and events in the implementation.

- The six Noongar Indigenous Land Use Agreements (ILUAs) were registered 17 October 2018.
- The conclusive registration of the six ILUAs occurred 27 January 2021 following the High Court decision.
- The WA government issued the settlement effective date notice to SWALSC on 28 January 2021.
- The settlement effective date is 25 February 2021.
- The trust effective date which includes the signing of the Noongar Boodja Trust deed and the formal appointment of Perpetual as the trustee for the Noongar Boodja Trust, is currently scheduled for 15 March 2021. Certain provisions in the ILUAs commence soon after the trustee is appointed, however the extent to which other provisions, such as Noongar land estate transfers, the housing program, the capital works program, and the Noongar land fund progress will be affected by how long it takes for the Noongar corporations to be appointed.
- The first payment will be made by the WA government to the trustee within 60 business days after the trustee is appointed.
- The future acts regime under the Native Title Act 1993 (Cmth) ceases to apply on 13 April 2021. An application for consent orders will be made to the Federal Court to finalise the Noongar native title claims by approximately 10 June 2021.
- The Noongar regional corporations will be appointed by the trustee later in 2021, following the completion of the pre-incorporation decision making meetings which will be held later in the year. The appointment of the Noongar regional corporations will trigger the operation of a number of provisions in the ILUAs including: the co-operative management agreements and later, the joint management agreements; the Noongar heritage partnership agreement; the land access licence; the Noongar economic participation framework; and the community development framework.



Smoking ceremony at the new East Perth office

For more information about the transition programs for the establishment of the six Noongar regional corporations, the Central Services Corporation, and the Noongar Boodja Trust, please visit the SWALSC webpage at: <http://www.noongar.org.au/formaldocuments>

## NEXT ROUND OF COMMUNITY MEETINGS

As a part of implementing the six Noongar Indigenous Land Use Agreements (ILUAs), each of the six agreement groups are required to incorporate a regional corporation under the

## Bunuru season (February - March)

Bunuru is the hottest time of the year with little to no rain. Hot easterly winds continue with a cooling sea breeze most afternoons – if you're close to the coast.

A time for living and fishing by the coast, rivers and estuaries with freshwater foods and seafood abundant.

Bunuru is also a time of the white flowers with lots of white flowering gums in full bloom, including jarrah, marri and ghost gums.

*Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act).* The regional corporation must be approved by the members of the agreement group and then appointed by the trustee of the Noongar Boodja Trust.

SWALSC is holding rule book workshops to consult with each agreement group about the name of their regional corporation and its rule book (the rule book). The rule book sets out the name of the corporation and governs how a corporation should be run—for example, how to elect directors and hold valid meetings. Having a rule book that is carefully followed and works well for a regional corporation is essential to maintaining good governance.

Annexure E, part B of the ILUAs provides principles that must be adhered to in the drafting of each rule book for the regional corporations. A copy of the Annexure E, Part B can be viewed within the ILUAs at the Formal documents section of the Settlement agreement tab on the SWALSC webpage at: [www.noongar.org.au](http://www.noongar.org.au).

A hard copy of the Annexure E will be distributed at the workshops and is available on request from the SWALSC office. The CATSI Act also includes certain rules that must be in the rule book.

Please note that the rule book workshops will be convened for consultation purposes only, no decisions are required to be made at the workshops. The purpose of the workshops is to assist the agreement groups to amend the current draft rule books to reflect the agreement group's current aspirations. A series of information meetings will follow the workshops to explain the draft rule book. Details of these meetings have been posted to SWALSC members with this newsletter, and are also posted on the SWALSC webpage.

The rule book workshops are open to all Noongar people including those who are not members of the SWALSC. As the workshops will be discussing the rule books for each regional corporation, you must only attend the meetings for your agreement group areas.

The rule book workshops will discuss the following:

- An overview of the South West Settlement and timeline
- The role and objects of the regional corporation
- The CATSI Act
- The name of the regional corporation
- The contents of the rule book of the regional corporation

A copy of the draft regional corporation rule book developed by each agreement group in 2016, can be viewed at the Formal documents section of the Settlement agreement tab on the SWALSC webpage at [www.noongar.org.au](http://www.noongar.org.au). Light refreshments will be provided.

Further rounds of community information sessions will be held on country following the rule book workshops to ensure that the Noongar community is properly informed before the decision-making pre-incorporation meetings are held later this year.

For the most up to date information about SWALSC meetings and what is happening, refer to the website, [www.noongar.org.au](http://www.noongar.org.au).

