



# What is the Noongar Land Estate?

The Noongar Land Estate (NLE) is an important part of the South West Native Title Settlement (the Settlement). It will provide significant opportunities for the Noongar community to achieve improved economic, social and cultural outcomes, and will be held by the Noongar Boodja Trust.

The Noongar Land Estate will comprise up to:

- up to 300,000 hectares of reserve land, and
- up to 20,000 ha of freehold land

Lands eligible to be allocated to the NLE include:

- unallocated crown land;
- unmanaged reserves; and
- Aboriginal Lands Trust (ALT) properties.

WA government agencies may also identify surplus land for potential allocation to the NLE. Furthermore, where land is unavailable for transfer but is of high cultural value to the Noongar community, there is opportunity for further discussion through the priority land meetings.

No land will be transferred into the Noongar Boodja Trust until the terms of allocation are accepted, including endorsement by the WКСN cultural advice committee and board.

The Noongar Land Estate will be divided up into two categories :

- development land, and
- cultural land

# Noongar Land Estate FAQs

## WHAT IS RESERVE LAND?

- Can't be sold
- Has management orders (like a lease document), and a reserve purpose saying how the land must be used
- Can be leased to third parties

## WHAT IS FREEHOLD LAND?

- Can be sold, leased and sub-leased
- Fewer rules than reserve land

## WHAT IS DEVELOPMENT LAND?

- Suitable for development and sale
- Trust will have responsibility to develop or sell that land to make a profit on behalf of all Noongar people
- Most development land will be freehold (but may be reserve land)
- Proceeds (after costs) from the sale/development are distributed by the Trust to:
  - » the Future Fund: 75%
  - » regional corporation where land is: 10%
  - » other regional corporations: 15%

## WHAT IS CULTURAL LAND?

- Can't be sold unless the regional corporation, Trust and relevant agreement group all agree
- Can be freehold or reserve land, but the majority of cultural land is expected to be reserve land
- Most cultural land in the region is expected to be leased and managed by the Wagyl Kaip Southern Noongar Aboriginal Corporation (WKSAN)

## WHO DECIDES WHETHER LAND IS CULTURAL OR DEVELOPMENT?

- The WKSAN cultural advice committee will provide advice to the board on whether land is cultural or development
- The Noongar Boodja Trust has the final say and will hold the titles for all land

To ensure that land is not lost the Noongar Boodja Trust will hold all management orders for cultural land and then lease that land to the WKSAN or third parties.

## CAN MY BUSINESS USE CULTURAL LAND?

- Noongar people from the WKSAN area can use and access cultural land for business purposes such as tourism or collecting bush produce if:
  - » If the land is not leased to third party
  - » You get a license/permission from the regional corporation to use the land for business purposes
  - » Have all the correct insurance and indemnity
  - » Follow laws such as the Bushfire Act 1954
  - » Clean up rubbish and mess
  - » Don't hassle or disturb other Noongar land users or neighbours

## CAN MY FAMILY ABORIGINAL CORPORATION OR NOT-FOR-PROFIT ABORIGINAL SERVICE PROVIDER LEASE CULTURAL LAND?

- Yes, if the regional corporation doesn't want to lease the land itself and supports the lease
- The Trust requires proof that you can hold and manage the land and meet costs like insurance and land management (eg weeding, fire management)
- Not-for-profit Aboriginal corporations will be given a peppercorn lease

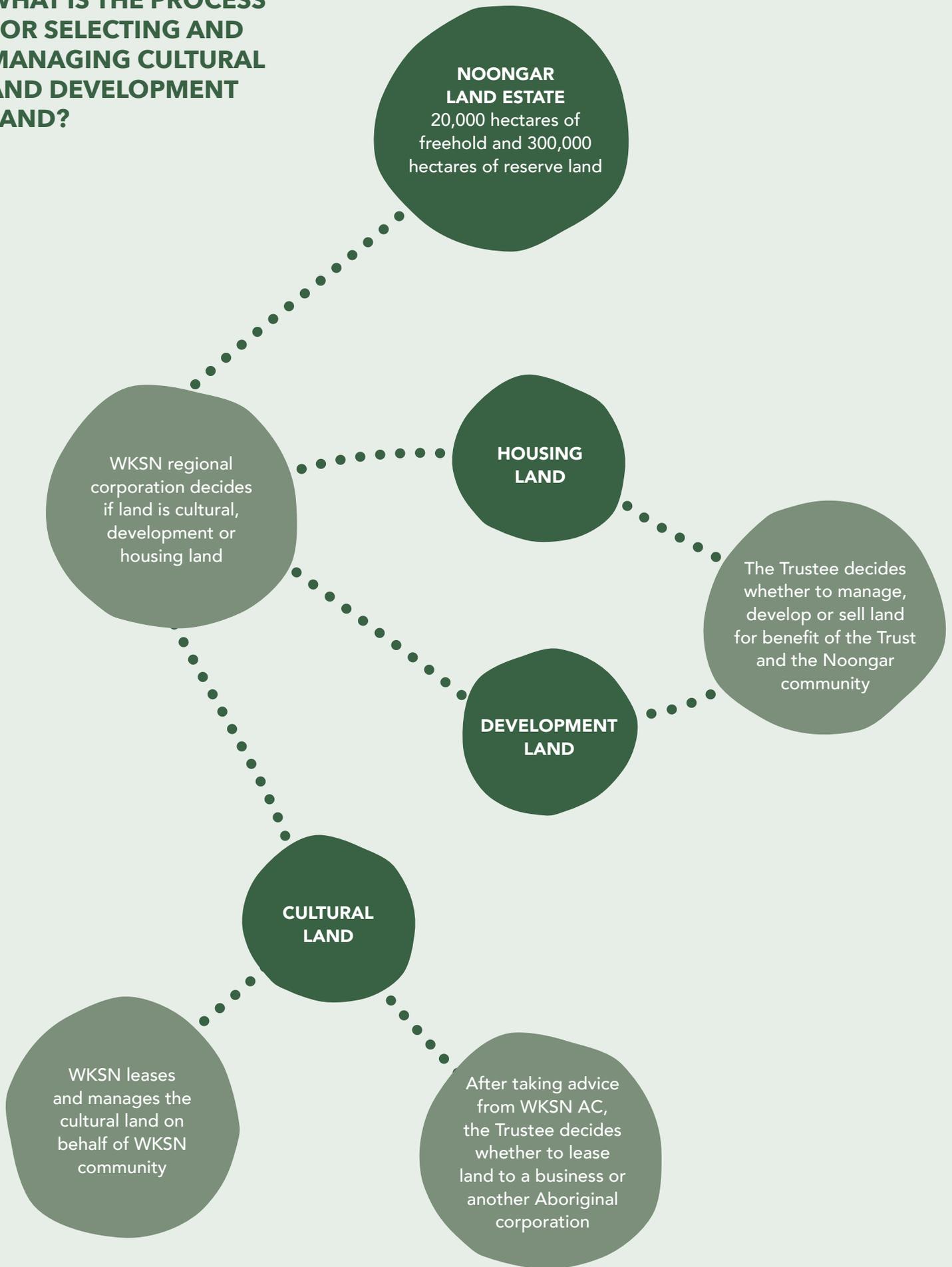
## CAN MY FAMILY ABORIGINAL CORPORATION BUILD ON THE CULTURAL LAND THEY LEASE?

- Yes, if you have a lease for the land, and the building and land use complies with local government planning rules, Trust lease conditions, and the reserve land management order
- No mortgages or sub-leasing is allowed

## CAN MY FAMILY AND I USE WKSAN-HELD CULTURAL LAND?

- Yes, Noongar people from WKSAN area can use and access cultural land, unless it is leased
- You can collect bush tucker from WKSAN-held cultural land, and camp for up to 28 days
- WKSAN will work with community to build camp sites and make sure the land is looked after
- Community members using cultural land must follow laws including the Bushfire Act 1954 and Firearms Act 1973, clean up rubbish and mess, and not hassle or disturb other Noongar land users or neighbours

# WHAT IS THE PROCESS FOR SELECTING AND MANAGING CULTURAL AND DEVELOPMENT LAND?



## ECONOMIC USE OF CULTURAL LAND

Some cultural lands will be suitable for economic activation, so WKSN AC will explore ways to generate income from cultural land to make long term land holding and management sustainable.

## THIRD PARTY INTEREST IN CULTURAL LAND

WKSN AC may decide that land selected as cultural land can be leased to a 'third party'. For example, the corporation may ask the Trust to lease a parcel of cultural land to a not-for-profit Aboriginal corporation so they can provide services that help the Noongar community.

## ECONOMIC LEASES

The Trust would need to be satisfied that the lease is sustainable, and the leasing party will have to meet all of the land management and land holding obligations.

Examples of third party usage may include:

- carbon sequestration and bio repair credits
- camping and tourism
- honey
- flowers
- seed collection
- environmental offsets
- long term leases

Any economic activity on cultural land will need to be consistent with local government zoning.

Cultural land can also be leased to state and federal government departments, or private enterprises, for infrastructure like:

- public and social housing
- Noongar housing
- government offices and operations bases
- senior citizens homes
- cooperative bulk handling

The Trust will set lease conditions to ensure WKSN AC receives an income from the proceeds of leases to third parties.

## HOW CAN ABORIGINAL CORPORATIONS OR BUSINESSES LEASE CULTURAL LAND?

