

COMMUNITY DEVELOPMENT FRAMEWORK

Annexure T: South West Native Title Settlement Indigenous Land Use Agreements

NOTE TO READER

- *The negotiations between the Government of Western Australia and the South West Aboriginal Land and Sea Council on behalf of the Noongar Native Title Agreement Groups were completed in late 2014 and the Indigenous Land Use Agreements (ILUAs) which form the South West Native Title Settlement (Settlement) were executed on 8 June 2015. The reference in the introductory paragraph to the “State currently negotiating” is now out of date.*
- *The Framework’s introductory paragraph refers to the 2009 Heads of Agreement undertaking to “negotiate Community Development, including:*
 - (i) “Funding toward the promotion of Indigenous culture and improving educational outcomes; and ‘*
 - (ii) Relationship between Central Body Corporate and the Regional Bodies Corporate in the management of programs and funding distribution.”*

The negotiations resulted in the creation of the South West Native Title Settlement ‘Noongar Governance Structure’ and the ‘Community Development Framework Governance Structure’.

To learn more about the Noongar Governance Structure (specifically the six Noongar Corporations and Central Services Corporation) please visit the Land, Approvals and Native Title Unit website (www.dpc.wa.gov.au/lantu). The Governance Structure for the Community Development Framework is explained in Clause 5 of this Annexure T and stipulates the respective involvement of the six Noongar Regional Corporations and Central Services Corporation.

- *All references to ‘the parties’ should be read as referring to, collectively, the WA Government, the Central Services Corporation and the six Noongar Regional Corporations.*
- *Clause 7 states that this Framework is effective “The date that the Settlement is signed”. However practically (and in accordance with the Settlement terms of the ILUAs) parties will give effect to the Framework as soon as reasonably practicable following the conclusive registration of the six ILUAs and the subsequent appointment of the Central Services Corporation and Noongar Regional Corporations by the Noongar Boodja Trust.*

The State of Western Australia is currently negotiating the full and final resolution of all native title claims in the South West of Western Australia (the Settlement). The State and the Noongar People agree that the Settlement is a unique opportunity to build on the strengths and resilience of the Noongar Community in order to achieve long held aspirations for better social outcomes. Under section 5.3(j) of the 2009 Heads of Agreement, it was agreed that the South West Aboriginal Land and Sea Council (SWALSC) and the State of Western Australia (the State) would negotiate Community Development including:

- (i) *“Funding toward the promotion of Indigenous culture and improving educational outcomes; and*
- (ii) *Relationship between Central Body Corporate and the Regional Bodies Corporate in the management of programs and funding distribution.”*

1. PURPOSE

The Community Development Framework (the Framework) provides a statement of mutual commitment by [the **State Government of Western Australia and the South West Aboriginal Land and Sea Council**] to a shared set of principles and priorities. The Framework aims to provide an environment for key government agencies, industry and non-government organisations to work collaboratively with the Noongar community, Regional and Central Services Corporations and to deliver against shared priorities in a manner consistent with the Framework Principles.

For the purpose of this Framework, Community Development is defined as ***the process of working with a community to identify and implement strategies to strengthen and develop towards its full potential.***

The key objectives of the Framework are:

- improved and sustainable social and economic outcomes for the Noongar community;
- strengthening of Noongar culture, language, traditional knowledge, values and identity in continuation with a greater understanding and celebration of Noongar culture and society throughout Western Australia;
- increased capacity for Government and other service providers to work more effectively, and partner with Noongar people in the design and delivery of human and community services; and
- improvements in economic independence, leadership and governance, and self-esteem across the Noongar community.

A diagrammatic representation of Community Development within the South West Settlement is included at Attachment A.

2. PRINCIPLES:

All parties, in working to meet the Framework's objectives, undertake to adopt the following principles:

- **Recognition that Noongar culture** is fundamental in strengthening the future for the Noongar people and the wider South West community. Measures that strengthen connections to country and transmission of culture are fundamental to successful community development.
- **A partnership approach** to planning and delivering community services by ensuring ongoing engagement, communication and consultation, mutual respect and learning between the Noongar community, Aboriginal corporations, Governments, and Non-Government Organisations (NGOs).
- **A demonstrated commitment to transparency, accountability** and appropriate **governance** structures.
- **An enduring commitment to the sustainable delivery** of community services while building on existing strengths and being responsive to the priorities of both the Noongar community and Government.

3. PRIORITIES

In working to meet the Framework's objectives, the parties agree to focus on the following:

- **Safeguarding, developing and transmitting Noongar culture**
- **Capacity Building and Leadership**
- **Housing**
- **Youth**
- **Health**
- **Education**

These priorities will be reviewed after the first 5 years of the Settlement. Additional region specific priorities may also be agreed.

4. DELIVERY

The key partnership mechanisms to deliver the Framework will be **Programs, Collaboration and Engagement.**

(i) Programs

Programs are community and cultural development initiatives designed by the Noongar community and delivered by the Regional Noongar Corporations and the Central Services Corporation. These programs will be provided in addition to current mainstream services, and will offer an alternative approach to challenges experienced by the Noongar community. The delivery of programs will be the responsibility of the Noongar Community.

Examples of programs include:

- Connection to Country;
- Intergenerational transmission of Traditional Knowledge and Values – Elders to Youth;
- Language Consolidation; and
- Healing and Resilience.

(ii) Collaboration

Collaborative partnerships are relationships (including those formalised through MOUs, contracts and other mechanisms) in the design and delivery of human and community services between the Regional and Central Noongar Corporations; and State and Commonwealth Government agencies and NGOs with particular emphasis on improving:

- outcomes for Noongar people;
- coordination of services;
- input and direction by Noongar people; and
- delivery of culturally appropriate services.

The approach to collaboration will recognise existing service providers and sources of relevant expertise within both the Noongar community and the Government and Non-Government sectors, and both parties will seek to engage and work with these existing stakeholders.

(iii) Engagement

Engagement activities will involve the provision of advice by the Noongar community through the Central and Regional Noongar Corporations regarding Government and non-Government designed and delivered programs and services. These partnerships will increase the accessibility, cultural appropriateness and value of these programs and services to the Noongar community.

5. GOVERNANCE

Implementation of the Framework will be overseen by the Community Development Reference Group (The Reference Group), which will comprise:

- Members of the Aboriginal Affairs Coordinating Committee (AACC);
- Chair/Representatives from the Noongar Central and Regional Corporations; and
- Representatives from NGOs delivering services to the Noongar community.

The Reference Group will provide advice and support in developing and implementing programs, and forging and strengthening collaboration and engagement.

The Reference Group will meet bi-annually, and will be co-chaired by a nominated representative from the AACC, and from the Noongar Central or Regional Corporations.

The Reference Group and broader Community Development governance structure will be reviewed within 5 years of coming into effect, and any adjustments made to improve its effectiveness will be agreed between the Parties. Detailed Terms of Reference, membership, chairing and secretariat arrangements for the Reference Group will be agreed by the Parties and summarised in a governance manual.

The Reference Group may also establish Working Groups to focus on particular priority themes or a combination of themes within a specific region, or all regions. These Working Groups will have key community, Government, NGOs, and industry representatives. These groups will operate for as long as deemed necessary by the Reference Group.

At the regional level, the key implementation mechanism will be existing Regional Human Services Management Groups. These groups coordinate cross agency activities and responses to portfolio issues at the regional management level. The groups will meet regularly with representatives from the Noongar Regional Corporations to oversee the implementation of the Framework at a regional level. For these meetings a co-chair arrangement will exist with the current Chairs and a nominated representative from the Regional Corporation.

6. EVALUATION AND REVIEW

A comprehensive evaluation framework will be developed through consultation between the State and SWALSC. This will outline a review schedule which will require approval by the Reference Group.

7. EFFECTIVE DATE

The date that the Settlement is signed.

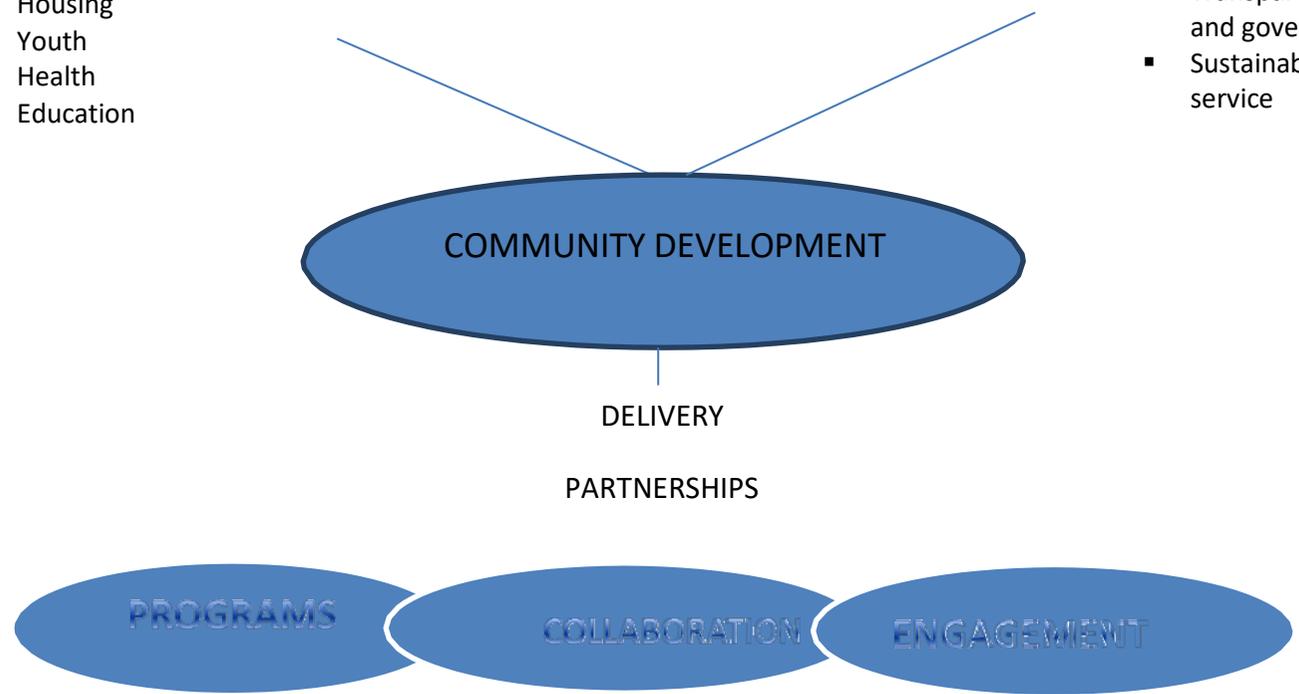
Community Development in the South West Settlement

PRIORITIES:

- Noongar Culture
- Capacity Building and Leadership
- Housing
- Youth
- Health
- Education

PRINCIPLES:

- Importance of Noongar Culture
- Partnership approach
- Transparency, accountability and governance
- Sustainable delivery of service



Relationship	Noongar to Noongar designed and delivered programs	↔	Noongar/Government/NGO designed and delivered together	↔	Gov/NGO designed and delivered programs/services informed by the Noongar community
Type of Service	Noongar Cultural Development	↔			Mainstream community and human services
Example	Noongar Leadership Program		Noongar Youth Diversion Program SW Settlement Housing Program		Mental Health Services Child Protection Services