



The South West Native Title Settlement

Noongar Boodja Trust

The South West Native Title Settlement (Settlement) is a landmark native title agreement negotiated between the Noongar people and the Western Australian Government (WA Government). The Settlement commenced 25 February 2021.

The Settlement, involving six Noongar Native Title Agreement Groups, and covering 200,000 square kilometres of land, represents significant social and economic investment in the Noongar community and the shared future of Western Australia.

For the latest Settlement information visit wa.gov.au (the WA Government website).

What is the Noongar Boodja Trust

The Noongar Boodja Trust (NBT) receives, holds and manages all benefits and assets arising from the Settlement. The function of the NBT is to hold money, land and property for the six Noongar Regional Corporations and the Central Services Corporation (collectively, the Noongar Corporations) for the benefit of the Noongar people for generations to come. The NBT is managed by Perpetual Trustee Company Limited (Perpetual), an Independent professional Trustee. For more information about the NBT, visit the [Noongar Boodja Trust](#) website.

Who are the beneficiaries of the NBT?

The six Noongar Regional Corporations (Regional Corporations) and the Central Services Corporation (CSC) are the only direct beneficiaries of the NBT. No individual will receive direct monetary payments. The key purpose of the Regional Corporations is to benefit, advance and promote the Agreement Groups and their communities within the Indigenous Land Use Agreement (ILUA) area and to manage and care for the Cultural Land in the region.

What assets are the WA Government contributing to the NBT?

1. Yearly cash payments: \$50 million to the Noongar Future Fund; and \$10 million for operational funding for the Noongar Corporations over 12 years. The first payment was made on 22 April 2021.
2. Land: 300,000 hectares of reserve or leasehold land and a maximum of 20,000 hectares of freehold land to the Noongar Land Estate (NLE), this land will be sourced from unallocated Crown land, unmanaged reserves and Aboriginal Lands Trust properties. The first land transfers occurred on 14 July 2021. For more information on the Noongar Land Estate, visit the Department of Planning, Lands and Heritage [website](#).
3. Housing: The Department of Communities will transfer 121 housing properties and provide funding for maintenance and upgrades to these properties.
4. Office Accommodation and Land:
 - Funding and up to two hectares of land for the development of a Noongar Cultural Centre in the Perth metropolitan area; and
 - Funding for the Noongar Corporations' office accommodation.

Read the latest [South West Settlement Annual Update](#) on the WA Government website for more details on assets held by the NBT.



When did the Initial Trustee commence its role?

On 27 June 2016, Perpetual was notified as the successful Initial Noongar Boodja Trustee (Trustee). Perpetual was formally appointed and commenced the role of Initial Noongar Boodja Trustee at Trust Effective Date on 29 March 2021 to manage all assets arising from the Settlement for the first 12 years.

Prior to formal appointment, Perpetual had been preparing for its role with the WA Government and South West Aboriginal Land and Sea Council (SWALSC).

How was the Initial Trustee selected?

Perpetual was chosen through a formal tender and selection process developed between the WA Government and SWALSC. The tender process took place in accordance with WA Government procurement policies and was managed collaboratively by the WA Government and SWALSC, who delegated their authority to facilitate the selection of the Trustee to the 'Noongar Boodja Trustee Selection Taskforce'.

The Taskforce was made up of an Independent Chair and four representatives from both SWALSC and the WA Government. The Taskforce commenced work in July 2015 and established the 'Noongar Boodja Trustee Selection Panel' (Panel) who was ultimately responsible for the selection of the Trustee in 2016.

How does the NBT operate?

The NBT is governed by the Settlement's [Noongar Boodja Trust Deed](#). It operates as a perpetual fund and is subject to all usual Commonwealth Financial regulations. The WA Government will have some oversight of the NBT for the first 12 years of its operation. Investment decisions about NBT assets are made by the Trustee who is advised by both Noongar and Independent Directors through mechanisms prescribed in the ILUAs and the Trust Deed.

To ensure decision making processes are relevant and transparent the Trustee has established a [Noongar Advisory Company](#) – to assist the Trustee to manage its relationship with the Noongar community and the relevant committees in the Noongar Governance Structure.

During the 12 years of operation the Trustee will work in partnership with the Noongar People, and bring all of its resources, expertise, connections and experience to enable the Noongar People to build their economic, social and cultural future through enduring relationships with government, business and the wider community in Western Australia.

What committees fall under the NBT?

A range of committees and structures are set up under the Settlement's Noongar Governance Structure to provide support, direction and influence over how the NBT is managed:

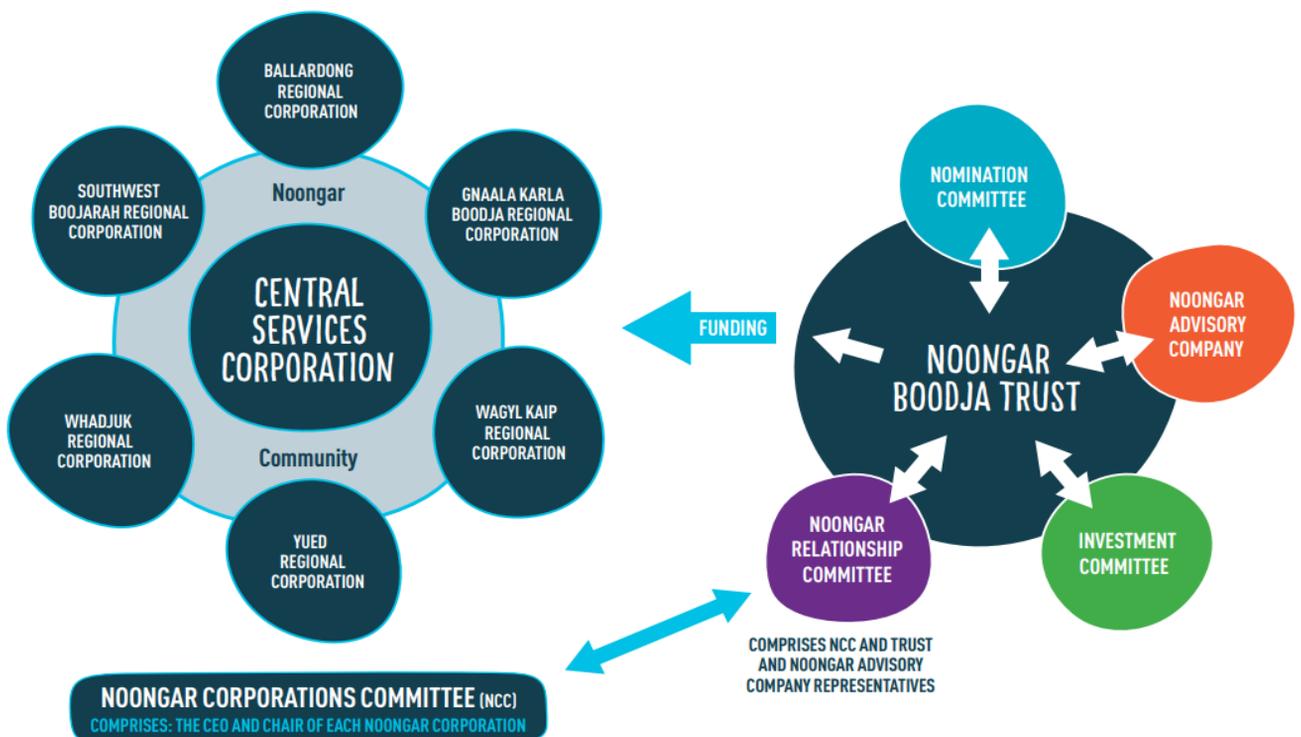
- [Noongar Advisory Company \(NAC\)](#) – primary decision making body and relationship manager, central to building capacity, systems and processes;
- [Noongar Relationship Committee](#) – facilitates and streamlines a process for the Trustee and the NAC to have direct, regular and meaningful engagement with the Noongar Corporations;
- [Investment Committee](#) – reviews proposals from the Investment Manager(s), reviews the Trustee's compliance with its investment obligations, and provides recommendations to the Trustee, in line with the Trust Deed;
- [Nominations Committee](#) – manages the selection process for board and committee positions and assists with the appointment of the Directors of the Noongar Corporations.

How does the NBT distribute money?

Each year the Trustee prepares a budget in line with budget principles contained in the Trust Deed. In making decisions about the distribution of funds, the Trustee is required to draw on advice from expert groups making up the Noongar Governance Structure about investment and allocation decisions, namely, the Noongar Advisory Company, Noongar Relationship Committee and Investment Committee.

Each committee has relevant experts who hold extensive knowledge and experience in working with Trusts and must comply with a central Code of Conduct and relevant policies.

The Trustee will distribute funding to the Regional Corporations each year to enable the Regional Corporations to deliver their 'core functions', such as land management, delivery of cultural and community programs, governance compliance and communication.



What happens to the NBT after 12 years?

After 12 years the NBT will be able to distribute a fixed percentage of the value of the Future Fund annually to ensure that there is an ongoing source of funds for Noongar cultural, social and economic programs.

After 12 years the NAC may transition to become the Noongar Boodja Trustee. The Trustee will build the NAC's capacity during the 12 years of operation with the aim of the NAC becoming the future Trustee.

- **Year 1** NAC and Trustee develop a 12 year plan for building the capacity of the NAC to become the Noongar Trustee in 12 years.
- **Year 2-5** The Trustee works on the delivery of the Trust outcomes to support the Regional Corporations, NAC works closely with the Trustee in its decision making. Trustee assists NAC with its capacity building.
- **Year 6-9** The Trustee delegates to NAC an agreed selection of trust management functions and works with NAC delivery.
- **Years 10-12** The Trustee delegates to NAC almost all of the trust management functions. The Trustee operates in the background to provide feedback and guidance as required by NAC.
- **Future** NAC becomes the Noongar Trustee and operates on its own.



Map of the Settlement Area showing the six ILUA boundaries

Further information

Further information about the Settlement, including the six ILUAs made in compliance with the Commonwealth *Native Title Act 1993*, can be found on the website of the WA Government please also see the NBT [Community Guide](#) on the SWALSC website.

<https://www.wa.gov.au/organisation/departments-of-the-premier-and-cabinet/south-west-native-title-settlement>