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Your ref: City of Karratha Strategic Community Plan Submissions
Our ref: Ngar0728-City of Karratha

31 May 2016

Peter Long
Mayor
City of Karratha

By Email: mayor@karratha.wa.gov.au; enquiries@karratha.wa.gov.au;

Dear Mayor,

**Submission regarding review of the City of Karratha's Strategic Community Plan-
Ngarluma Aboriginal Corporation RNTBC (NAC)**

We are instructed to provide the Submission below for the NAC. Thank you for your letter dated 18 May 2016 to the NAC alerting the NAC direct about the opportunity to make a Submission (and we understand that the City has been advised that Ms Belinda Churnside is currently the NAC Executive Officer not MrThompson to whom your letter is addressed).

The NAC submission is in response to the City's document *Strategic Community Plan Outcomes and Responses* (SCP Document).

The NAC made a submission in May 2011 regarding the first version of the Strategic Community Plan. A copy of that submission is attached. Key aspects of it remain relevant and are incorporated in this submission.

The following remains applicable today and into the future:

- The NAC's seeking of ongoing input into the City's development of the Plan and other plans, including input into services and facilities provided to Aboriginal people, prior consultation about land use planning and development activity, putting in place a Management Plan;
- Arranging for housing for Aboriginal people;
- Engagement of the NAC for consultancy services to the City (and employment);
- Meetings of the NAC Board and Council;
- Making of an Agreement with the City.

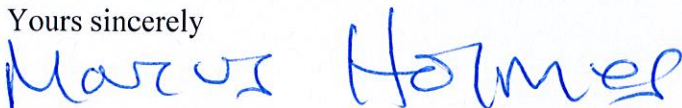
Importantly, much of the above is currently being actioned by the NAC with the City. For example, the Agreement is intended to be in place by 17 August and negotiations are well underway on the current draft and the Agreement will include ongoing consultation about land use planning and development and regular NAC Board and Council meetings.

With regard to the SCP Document, the NAC supports that document and notes in particular and seeks application by the City with the NAC of the following features:

- The acknowledgement of traditional owners and engagement with them;
- The “recognition of diversity”;
- The emphasis on business opportunities and local procurement (and the NAC seeks to be engaged with the City in maximising those opportunities);
- The City consultation regarding infrastructure development and other development (for example, foreshore management and development and consultation and application of environmental management and impacts avoidance).

In closing, the NAC (and presumably the City) see the upcoming Agreement as the “best practice” vehicle to action all of the above and more in an ongoing win/win relationship with the City.

Yours sincerely



MARCUS HOLMES

Principal

Land Equity Legal

Native Title, Mining & Environmental Lawyers

Copy to the NAC (Patrick Churnside, Chairman; Belinda Churnside, Executive Officer; Richard Walker, Heritage Manager) and copy to the City Working Group Councillors, Chris Adams, David Pentz and Jerom Hurley

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Your ref:

Our ref: MRH:DC:NGAR0728

2 May 2011

Ms Nicole Lockwood and Ms Collene Longmore
Shire President and Chief Executive Officer
Shire of Roebourne

By Email: sor@roebourne.wa.gov.au

Dear Ms Lockwood and Ms Longmore

**Comments on the Shire's Draft Strategic Community Plan 2011-2021 ("Plan"):
Ngarluma Aboriginal Corporation RNTBC ("NAC")**

We act for NAC and are instructed by NAC to provide these comments to the Shire.

As you know, NAC is the registered native title body corporate that holds and manages the native title of the Ngarluma people who are the native title holders in the Shire area.

NAC notes the opportunity for input into the Plan and recognises and fully supports the Shire's obligation to provide "good governance" under the local government legislation.

NAC makes the following comments about the Plan (and the other plans and associated processes and activities set out at pages 22 to 24 of the Plan and elsewhere in the Plan) for the Shire of Roebourne's consideration and response:

1. NAC seeks ongoing input into the Shire's development of its Plan (and its other plans and associated processes listed at pages 22 to 24 of the Plan) that includes input into:
 - a. services and facilities provided to Aboriginal people within the Shire area;
 - b. prior consultation about land use planning and Shire and Shire contractor works, and other developers' works permitted by the Shire, with the object of avoiding any impact on Aboriginal sites and other special places for the Ngarluma Traditional Owners. For example, urgent completion of the NAC/Shire agreement negotiations and ensuring, through that agreement, that there is a Management Plan made with NAC about activities on Shire reserves and other lands under the

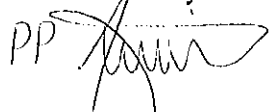
Shire's jurisdiction such as coastal areas. NAC notes that a cultural heritage management plan is required for the Wickham Motocross site;

- c. arranging for housing for Aboriginal people. NAC highlights the Ngarluma people's own important contribution to sustainable housing and other land uses in the Roebourne area with its Ngarluma Aboriginal Sustainable Housing ("NASH") project. NAC also assisted the Shire, community and State Government by making an agreement in 2010 with the government that releases Crown land for freehold blocks for residential and commercial development within the Karratha townsite;
 - d. ensuring that the Plan and other plans and activities dovetail with the proposed Anketell development social impact assessment and cultural impact assessment (for the Ngarluma people) that the State Government is commissioning to be done in 2011;
2. The Plan makes no reference to Aboriginal history at pages 5 to 8;
 3. The Shire to consider engaging NAC to provide consultancy services to the Shire. For example, provision of Ngarluma rangers to protect and manage Aboriginal sites within Shire lands and development of a cross cultural awareness and training programme as between Shire staff and contractors and NAC and its members;
 4. NAC would like for the Council and Council CEO to meet with the NAC Board on an annual basis to discuss and progress joint issues and partnerships (I note the reference to the Shires's support for partnerships at page 10 of the Plan);
 5. Please ensure that the 2011 Community Survey is inclusive of NAC (refer to page 21 of the Plan).

NAC looks forward to developing a positive relationship with the Shire in the coming years.

We look forward to receiving the Shire's positive response to the NAC comments set out above.

Yours sincerely

A handwritten signature in black ink, appearing to read 'PP' followed by a stylized name, likely Marcus Holmes.

MARCUS HOLMES

Partner

**Taylor Linfoot & Holmes
Commercial Lawyers**