



Kimberley LNG Precinct

Factsheet 03



Native Title and Indigenous Heritage issues

About 5000 Aboriginal people live in the Shire of Broome, including more than 1000 in communities on the Dampier Peninsula, with many others having close links to the Peninsula.

James Price Point is currently unallocated Crown land which has a native title claim over it by the Goolarabooloo Jabirr Jabirr Native Title Claimants.

The Government is negotiating with the Kimberley Land Council – representing the Traditional Owners – to acquire native title rights and interests and to identify an area of land and conditions of development that minimise impact on traditional uses and Indigenous heritage assets.

Moving forward

A broad agreement has been reached between the State Government, the Kimberley Land Council, representing the Traditional Owners, and Woodside as a potential proponent of the precinct, about development in the vicinity of James Price Point.

The agreement provides a framework and basis for moving towards the development of a detailed Indigenous Land Use Agreement (ILUA), or Agreements (ILUAs), planned for execution by the end of 2009 and registration as soon as possible thereafter.

The parties have acknowledged that there are matters of detail to be negotiated and agreed as part of the ILUA process.

The State Government's commitments as part of this broad agreement include:

- only taking land that is required for the precinct, when it is required and not extinguishing Native Title
- when the land is no longer needed, returning it fully remediated to the Traditional Owners
- providing an area of land equivalent to that required for the processing facility, under freehold title, to the Traditional Owners, which could be developed, including by taking opportunities to benefit from the precinct project
- funding for Aboriginal management of nature and heritage reserves
- funding support for economic development, better housing and education and cultural preservation.
- resolving indigenous land title issues on the Dampier Peninsula
- creating new nature and heritage reserves on the Dampier Peninsula
- funding for a Kimberley Enhancement Scheme that will expand and improve existing government services and facilities in the broader community.

Woodside has also made commitments as part of the agreement and the Federal Government is developing a range of complementary benefits.

All parties have agreed to work together to avoid or minimise overall impacts, especially on heritage and culture.

A comprehensive Heritage Protection Plan will be developed which will outline the measures to be taken to protect culture and heritage.

The environmental assessment approval process

The Federal and State Governments have negotiated a joint Strategic Assessment Agreement (SAA) which incorporates both the site selection and site approval processes and covers both Indigenous and environmental issues.

An environmental management and monitoring plan developed as a key part of the SAA will be assessed in accordance with the *Western Australian Environmental Protection Act 1986*, and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999*.

It is proposed that the final SAA Report be submitted to both the Environmental Protection Authority and the Commonwealth Department of Environment, Water, Heritage and the Arts in November 2009. It will then take some months to be assessed. Environmental approvals are not expected until mid to late 2010.

As part of planning for the precinct a large number of environmental and technical studies have been completed, and many more are scheduled. The project will only proceed if it can be demonstrated that environmental impacts can be managed. Very high standards will apply.

For further information please visit:

www.dsd.wa.gov.au/KimberleyLNG